

267

# The Solicitors' Journal & Reporter.

## VOLUME X.

*The Subscription to the SOLICITORS' JOURNAL is—Town, 2s.; Country, 2s., with the WEEKLY REPORTER, 5s. Payment in advance includes Double Numbers and Postage.*

*Subscribers can have their Volumes bound at the Office—cloth, 2s. 6d.; half law calf, 4s. 6d.*

*All Letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer, though not necessarily for publication.*

*Where difficulty is experienced in procuring the Journal with regularity in the Provinces, it is requested that application be made direct to the Publisher.*

## The Solicitors' Journal.

LONDON, NOVEMBER 4, 1865.

THE MEETING of the Solicitors' Benevolent Association, which took place at Liverpool, will be found fully reported in another column. The satisfactory condition of finances of this society bear witness to the support it receives from the profession, and the very few claims upon its funds is a subject of congratulation. The small number of the profession who are subscribers to the association was alluded to at the meeting, but it is certain that, now that the society has firmly established itself, it only requires to become generally known in order to acquire a far wider range of usefulness than it has as yet attained to. For the details of the meeting our readers are referred to the report.

THE MEETING of the Metropolitan and Provincial Law Association took place at Liverpool, and in another column we give a full report of the proceedings. The discussions which always arise at these meetings on points of general interest to the profession are of the greatest use in directing attention to matters requiring reform, in which the advice of competent and well-informed men is so essential. The usefulness of the association itself may be estimated by anyone who will take the trouble to peruse the address delivered by the chairman at the opening of the meeting, and its practical results are, in one instance at least, shown by the fact that more than one of its influential members have, by virtue of their position in connection with the association, been placed upon the commission appointed to carry out the concentration of the courts of justice. The visit they paid to the Law Courts at Manchester, on the 19th inst., in conjunction with the Liverpool Law Society, and as guests of the Manchester Law Society, was paid, in furtherance of their duties as commissioners, to inspect the new building recently erected there, with the view of obtaining the best model for the new palace of justice. The association may be justly gratified that it numbers many influential men among its members who are willing as well as able, not only to look after the interests of the profession, but to assist the Legislature with practical information and suggestions, not obtainable from any other quarter.

ON MONDAY last, as we learn from the *Tiverton Gazette*, Mr. Denman, Q.C., announced to the electors his desire to become a candidate for the vacancy occasioned by the lamented decease of Lord Palmerston. The paper in question adds—"It is generally believed that Mr. Walter Falk Carew, who has been solicited by some of the conservative electors to become a candidate, has declined the favour. An opinion is gaining ground among the influential conservatives that in view of the Hon. George Denman's great and deserved popularity with the liberal electors, and his claim for the seat, it would be an ungraceful act to oppose the hon. gentleman's election, and unwise, under existing circumstances, to disturb the peace of the borough. At present, therefore, we do not believe that any contest will take place." The profession will, we doubt not, rejoice at the renewed appearance of Mr. Denman in the House of Commons, and we trust that he may do them as good service in the new Parliament as he did in the old one.

ONE OF THE FIRST CONSEQUENCES of the Courts of Justice Building Bill has been to cause a serious inconvenience to those members of the profession whose practice lies in the Court of Chancery and the offices connected with it. The Board of Works have taken possession of the Masters' Offices in Southampton-buildings, and having taken off the roof, are adding an extra story. The first floor of this building, which is the top floor, and, therefore, next to the bricklayers and their accompanying abominations, is occupied by the Registrars of the Court of Chancery, five of whom, with their staff of clerks, are now transacting their share of the business of the Court as well as may be under the circumstances. The Registrars are probably able, or, at least, ought to be able to take care of their own comfort by moving the Lord Chancellor to supply them with better accommodation, but in the interests of the profession we must protest against the bad management which compels them to undergo the difficulties and, we may almost say, perils of entering the building referred to. On reaching the first floor at the top of the stairs a passage presents itself which would be dark as pitch but for a dim light "dimly seen" at the further end—more than a hundred feet distant; and the braziers of glowing charcoal which fill the air with poisonous fumes; while the way was, on the day the offices opened, blocked up with scaffolding, and made dangerous by the falling of bricks and plaster. Add to this the fact that the recent storms of rain have penetrated all the ceilings, making the atmosphere damp and unwholesome to breathe, and that the noise from the labour going on overhead is at times deafening, and we have a not exaggerated idea of the mismanagement of the situation.

We cannot believe that the Lord Chancellor is aware of this very unpleasant state of things. It appears, however, that he might easily have prevented any alterations being made in the Master's offices until the offices of his own Court had been removed elsewhere. By the 22nd section of the Courts of Justice

Building Bill (28 & 29 Vict. c. 48) the premises referred to are vested in the Board of Works, but it was never intended that they should have immediate possession, for we find at the end of the section a proviso that the Board should not take possession of any part or parts of the said buildings that might be occupied for legal purposes, "until the Lord Chancellor certified that in his opinion such part or parts is or are no longer required by the persons so occupying the same." This clause, although it vests the freehold of the buildings in the Board, allows the Chancellor to retain possession as tenant until such time as other buildings are provided for him, and he cannot be turned out against his will. A very cursory inspection would suffice to show anyone that the building in its present dismantled state is quite unfit for the purposes to which it is now applied.

JOHN SHAPLAND EDMONDS STOCK, Esq., of the Middle Temple and Western Circuit, has been nominated one of her Majesty's counsel. Mr. Stock was called to the Bar in Trinity Term, 1830, and was several years ago appointed to the recordership of Winchester, an office which he vacated on being promoted to that of Exeter, to which he succeeded on the resignation of Mr. Serjeant Kinglake, and which he still holds.

#### THE CRIMINAL RESPONSIBILITY OF SERVANTS.

The progress of society, we are told by Mr. Maine, in his admirable work on ancient law, is from *status* to contract. The old patriarchal tie of the members of a family to its head has gradually been loosed, and even in countries which are still governed by the civil law, a son is no longer his father's slave. In England all persons, male or female, married women excepted, become *sui juris* at twenty-one. Tutors and curators are fast becoming obsolete, and their only representatives are to be found in the modern guardian or the committee of a lunatic. Prodigals—that is to say, men who have not the wit or the will to manage a great estate—have it all their own way, and are permitted to do what they please with their own. And the same rules are applied to the relations which exist between master and servant. Compulsory servitude, it may now be said, is extinct. It lingered latest in Russia, the most despotic, and in the United States, the most democratic, of countries. But in the former it has been abolished by the wise zeal of a reforming emperor, and in the latter it has been swept away by the fierce storms of a bloody revolution. The age of serfdom has passed. There are still, however, traces left in European and American jurisprudence which show how difficult it is to replace an old by a new idea; and it is a singular circumstance that in England, a country which is continually, and with justice, upon the whole, vaunting itself as the home of perfect freedom, we still have laws in the statute-book more suited to the days when slavery still flourished than to these when it has happily become extinct.

The relationship of master and servant is now, it is true, mainly one of contract. Except in the case of apprentices, who are bound for a term of years to a particular person to learn a trade, the servant may go and come as he chooses. A reasonable notice on either side may terminate his service. But in one important particular his position is still that of *status*, and not of contract. Contract implies mutuality, and there can be no contract without reciprocity of obligation. Now, it is provided by various Acts of Parliament, to which we shall immediately refer, that in certain cases, a servant is to be *criminally* responsible for his breaches of contract, while, on the other hand, his master is only *civilly* liable to pay damages. We may generally state that, as the law at present stands, an agricultural labourer or ordinary artisan who shall commit a breach of his contract of service by desertion or otherwise, is held to be guilty of a misdemeanour, punishable by justices with imprisonment, or with abatement of wages, or with discharge from

service. Thus the 20 Geo. 2, c. 19, enacts that it shall be lawful for justices, on complaint by a master against a servant of any "misdemeanour, miscarriage, or ill-behaviour in his employment, to hear and determine the same and to punish the offender by commitment to the House of Correction for any time not exceeding a calendar month, or otherwise by abating his wages, or by discharging him from his employment. If, on the contrary, the servant complains of the ill-usage of his master, the justices cannot send the delinquent to prison, but can only relieve the victim by discharging him from his service. Again, the 6 Geo. 3, c. 26, s. 4, empowers justices to punish artificers, labourers, &c., who shall absent themselves from service before the term of their contract is expired, or shall be guilty of any other misdemeanour with a term of imprisonment varying from three months to one month. Thirdly, by the 4 Geo. 4, c. 34, s. 3, the statute chiefly taken advantage of in prosecutions under these Acts, it is enacted in the widest terms that if any servant in husbandry, artificer, &c., shall contract with any person, to serve him for any given time, and shall not enter into such service, in accordance with the contract, or having entered it, shall absent himself or otherwise neglect to fulfil the same, or be guilty of any misconduct or misdemeanour in the execution thereof, it shall be lawful for any justice of the peace, upon complaint made and evidence given, to commit such servant, &c., to the House of Correction for any term of imprisonment not exceeding three months, with hard labour, or to abate his wages in whole or in part, or to discharge him from his service. By 17 Geo. 3, c. 56, s. 8, similar provisions are enacted with respect to "job contracts."

Such are the principal Acts imposing a criminal responsibility upon almost all classes of servants—except domestic servants—in respect of breaches of civil contracts, and the complaint made by workpeople generally is, that whereas the master is, throughout the whole statute and common law, only liable for his breach of contract in damages, they are liable to conviction as criminals, and may be sent to the criminal department of a public prison. In short, they are liable to be treated like ordinary thieves, although the contract, out of which such liability arises, is purely civil. In many great constituencies, at the recent election, candidates were pressed for their opinion on the justice of this arrangement, in a country which professes to have one law for rich and poor alike. The alleged grievance is not sentimental but practical. Our readers will be surprised to learn that in 1863 the prosecutions under these statutes was 8,504 in England and Wales alone, and the number of convictions 5,071. It should, however, be mentioned that the number of persons prosecuted and convicted include apprentices and also those cases in which masters, who fail to pay wages, are imprisoned as *civil* debtors. Still, even making these allowances, a large number remain who have been sent to the felon's department of a prison for a breach of a purely civil contract.

The persistent complaints of working men as to the inequality of these laws has at length aroused the attention of the Legislature. Last session a bill was introduced by Mr. Egerton and Mr. Cox to alter and amend the law relating to contracts of service. It did not pass, but, as a result of its introduction, a committee was appointed to inquire into the state of the law on the subject. Only three sittings were held, in consequence of the early dissolution of Parliament, and the report presented was merely provisional. It recommended that the evidence of the two witnesses examined should be printed, and that a fresh committee should be nominated to consider the question in the approaching session of Parliament. We may, therefore, expect that a full inquiry will soon take place. The general election has placed several "working men's friends" in the House of Commons, and they will be careful to see that full justice is done to the class which they are supposed more especially to represent. The evidence of

Mr. Sheriff Barclay and Mr. John Strahan, which was given before the committee of last session, shows that our working classes consider themselves to be labouring under a great burden, and we trust that some means may be found of removing it.

While, however, it will be very desirable to relieve servants from all just cause of complaint, we may express a hope that the interests of the masters will not be neglected. A servant is usually a "man of straw" and would be in most cases unable to pay damages for his breaches of contract. There should still be a power, therefore, retained in the hands of the judge, whose duty it may be to adjudicate on these trade disputes, to commit a defendant to prison as a civil debtor in default of payment. To such a power no working man ought seriously to object. The sting of the present system is the making the breach of contract a *criminal* offence instead of a civil offence with a speedy remedy. As a general principle it is objectionable that the mere existence of a contract should be allowed to turn that into a crime which, without the contract, would be no crime; and it is still more objectionable that one party to a contract should be punishable as a criminal, while the other escapes with impunity.

#### MR. JUSTICE CROMPTON.

[COMMUNICATED.]

The profession heard with universal regret the announcement of the death of Mr. Justice Crompton, which took place early on Monday morning at his residence, 22, Hyde-park-square. The learned judge had been in ill-health for some months past, and although he selected the Home Circuit in the summer, and transacted the business with nearly his wonted skill and attention, no one who saw him presiding in the *Nisi Prius* Court at Croydon, could fail to observe the rapid strides which serious illness was making in his usually healthy and vigorous constitution. Sir Charles John Crompton was the third son of Doctor Peter Crompton, a physician of some eminence at Liverpool, where he was in good practice. Dr. Crompton's name is also well known as the author of several political essays. The judge's mother was a daughter of John Crompton, Esq., of Chorley, in the county of Lancaster. Sir Charles Crompton, both through his father and mother, was descended from a race of hard-headed north countrymen, who so often distinguish themselves in England, both at the bar and in the science of physic. The late learned judge was educated at Trinity College, Dublin, where he graduated and obtained high honours in the years 1814, 1815, and 1816.

It was almost universally the custom, at the time Mr. Justice Crompton began his career at the bar, to commence practice below the bar as a special pleader, and Mr. Justice Crompton practised as a special pleader for several years before being called to the bar, and was known both then and afterwards as an adept at the *recondite* and subtle science of special pleading. He was not called until the year 1821, when he was called to the bar by the Honourable Society of the Inner Temple, and selected as his circuit the Northern—a circuit which at all times commanded some of the best and most promising legal intellect the profession could provide; he was also at the same time a member of the Chester Circuit, and joined the Preston and Liverpool sessions. Mr. Crompton was not long in acquiring a large and lucrative share of business at Liverpool, the chief place of business on the Northern Circuit, and at the time he was raised to the bench there was no stuff-gown on that circuit who could compete with him in the quality and quantity of his business. In the meantime he had obtained a large practice in his business in Westminster Hall, and was engaged on one side or the other in almost all the great legal arguments of the day, which, of course, is a fair test of the estimation in which a barrister is held as a lawyer. In the year 1839 Mr. Justice Crompton was appointed judge of the Passage Court at Liverpool, a tribunal having an unlimited jurisdiction, and in great repute in that town,

and in which town, during the time he presided in that court and since, heavy suits, both maritime and others, are tried. During the time he held the office of Judge of the Passage Court he acquired very great reputation as a *Nisi Prius* judge, and the business of the court much increased during the time he held the office. In the year 1850 Mr. Justice Crompton was appointed, in conjunction with Lord Westbury, the Master of the Rolls, Lord Justice Turner, the late Vice-Chancellor Parker, and Vice-Chancellor Page Wood, a commissioner to inquire into the process, practice, and pleading in the Court of Chancery. In the year 1852 he was appointed a commissioner for inquiring into the law and jurisdiction of the ecclesiastical and other courts in relation to matters testamentary. In the same year, on the retirement of the late Mr. Justice Patteson, Mr. Crompton succeeded to the vacant seat in the Court of Queen's Bench. Mr. Justice Crompton never obtained the rank of Queen's Counsel, and may be ranked amongst the many other distinguished ornaments of the Bench who have never held the rank of Queen's Counsel, but have been placed on the bench direct from the rank of a stuff gownsmen. In politics Mr. Justice Crompton was a decided liberal, but he never sought the suffrages of any constituency. He married in 1832 the daughter of Thomas Fletcher, Esq., of Liverpool, by whom he had several children. In all respects his retirement and almost sudden death may be said to be a loss to the public and to the profession. He carried to the bench an amount of learning in law, and indeed on many subjects, seldom attained, and he may in truth be said to have devoted his whole energies to adorn the high office he so ably filled. His successor will have to put forth all his powers to acquire the legal reputation of his predecessor.

Several names must at once have occurred to everyone on hearing of the retirement of Mr. Justice Crompton, and that of Mr. Lush and Mr. Mellish would of course be uppermost in all minds. The Lord Chancellor had several eminent men to choose from, but Mr. Lush and Mr. Mellish were the most conspicuous, and if Mr. Mellish must yield to Mr. Lush in business, it is the only respect in which he is less qualified than Mr. Lush for the place. There could hardly have been a better appointment than that of Mr. Lush; he has had for several years a large and diversified practice; he possesses a powerful and subtle mind well stowed with legal knowledge, he is blessed with a good constitution and great power of work, without which no man can now perform the duties of a common law judge. The work of a common law judge has, of late years, increased to a great extent, and is constantly becoming more and more laborious. Term is hardly over before the sittings in London and Middlesex commence, and these are followed by circuits, and there are besides, now, the Winter Circuits. Two of these circuits, the Home and Northern, are sufficient to tax the energies of the strongest. Indeed, the junior judges on these two circuits have a mountain of labour before them. The cause list in Surrey, on the Home Circuit, and at Liverpool, on the Northern, has already tried the health of more than one judge, and each succeeding year appears to add to the business. There could hardly be a man more equal to the task than the new judge of the Court of Queen's Bench.

#### EQUITY.

RESULTING TRUSTS—ADVANCEMENT.  
*Beecher v. Major, V.C.K., 13 W. R. 853.*

Grotius's definition of equity, as "the correction of that, wherein the law, by reason of its universality, is deficient," is the key-note to our whole system of equitable jurisdiction. Other views and definitions of equity, as systems of moral or natural law superadded to the municipal code, may be better explanations of the most

general meaning of the term equity, or even of the essence of the idea objectively considered. But the first establishment and successive expansions of our equitable system are to be sought in the desire of allowing the judge a greater *discretion* than wherever the law or even precedent would warrant. Fictions, equity, and legislation are, as has been brilliantly described by Mr. Maine in his work on ancient law, the chief *tentacula* by means of which every juristical system endeavours to keep pace with the requirements of society. We must, however, bear in mind that the Chancellors never have admitted that the creative powers of the court, in respect of rights not recognized by the courts of common law, depend on any inflexible theory or system, or that they have terminated, as is commonly supposed (and is practically the case), with the *réglme* of Lord Eldon. True, we daily hear the equity judges referring to previous acquisitions of jurisdiction rather as helps to future progress in the same direction, than as *termini* which are not to be passed; and to hear the *dicta* of our judges one would imagine that there is no nook or crevice which the Chancellor will not consider within his province, if there is only some analogy (which is rarely wanting) for his intervention to be found in the rules or procedure of the courts of common law. But in practice the extension of the jurisdiction of the court by its own arbitrary will has come to an end, and even the theory was rudely shaken in *Cookney v. Anderson* and the similar cases which followed.

The original action of the Court was doubtless mainly founded on the principle of applying remedies to particular grievances, according, not to any ethical doctrines, but to certain rules of expediency, as is clearly indicated by the equitable rules respecting voluntary gifts, advancement, and resulting trusts. The rule of the Court, as laid down in *Ellison v. Ellison*, 6 Ves. 656, with respect to gifts is, that if the transfer of property has been actually completed, or if a clear declaration of trust has been made by the donor, or if the gift is so entirely delivered into the power of the donee that no further act for that purpose is necessary to be performed by the grantor, then the gift is irrevocable, however gratuitous. If the gift is incomplete in any of the foregoing respects, the Court of Chancery will not interfere to give it effect. The maxim, *Ex nudo pacto non oritur actio*, applies in this modified form to suits in equity, that, no matter what the *intention* of the donor may have been, if he have not carried it into complete effect, his representatives will not be compelled to do so for him. The Court of Chancery then, though the only "court of conscience" which has ever obtained among us, never was completely so. The Court will not effectuate an intention merely on account of the moral propriety of doing so; in short, what intentions it will effectuate, and what intentions it will regard merely as so much Tararean pavement, is a question depending upon "convenience," precedent, and the analogies of the common law rather than on principles of an ethical nature.

But when we come to the converse case, to a claim by the donor of a gift, good at law, to have the donee treated as a trustee—say the case of a purchase of real estate by A. in the name of, and which has been conveyed to, B., here the intention of A., with reference to B., is the whole question. If there is evidence that A. intended the purchase to enure to B.'s own benefit, then B. can so retain it; but, in the absence of any evidence to this effect, B. will be presumed to have been intended to be a mere trustee for A. At first sight it may appear puzzling why the intention of a donor should be left wholly out of the consideration of the Court when it is deciding upon the case of an incomplete gratuitous gift, and why intention is so entirely regarded in the converse case, but the fact is, the Court *dealt independently* with the two cases, on a principle of convenience, and the fact is, that, though cognate, they are not in the least correlative.

A purchase in the name of a wife or child is of a

nature intermediate between incomplete gratuitous gifts, and purchases in the name of a stranger, the presumption being that such a purchase is intended to operate as a jointure for the wife, or an advancement for the child, in the absence of any evidence to the contrary, whereas the contrary is the presumption in all other cases, except when made on full deliberation, and accompanied by a declaration contemporaneously with the gift that it was intended by the donor to operate for the benefit of the grantee, and except the donor was at the time *in loco parentis*. On this principle a sort of secondary presumption has been raised in favour of the rule we are now considering, as regarding an illegitimate son (*Beckford v. Beckford*, Loftt. 490), the nephew of a wife (*Currrant v. Jago*, 1 Coll. 261), and other similar relationships, from the existence whereof slighter evidence than would have been required in the case of a stranger, have proved sufficient to induce the Court to say that the purchaser had placed himself towards them in *locus parentis*.

The circumstances in the principal case were the converse of those in *Currrant v. Jago*. B. purchased stock in the name of her niece H., but received from H. at the same time a power of attorney, enabling her to receive the dividends and to make sale of the stock. Afterwards B. transferred this stock to another niece M., in whose name she purchased additional stock, in all to the value of £1,000. B. at this time wrote to M., stating that this amount of stock was to be held by her (M.) for her own benefit only, but requested her to destroy the letter, and to return, signed by her, a power of attorney for B., similar to that signed by H. M. did so, by the advice of C., who positively swore to the letter containing the declaration that M. was to enjoy the benefit of the stock. B. had placed M. at school, and apprenticed her to a milliner, and had left her an annuity of £30 a-year by a will made before the transfer of the stock. The court received secondary evidence of the contents of the destroyed letter, and held that B., although not exactly *in loco parentis* towards M., nevertheless had made a valid and irrevocable gift of the stock to M., who was also entitled to the annuity.

We are disposed to think that B. had, by the acts stated, placed herself *in loco parentis* towards M., and that the case consequently was within the doctrine of *Currrant v. Jago*. Vice-Chancellor Kindersley, indeed, decided in favour of M., but it was not on the ground of M. being a *protégé* of B.'s, but on the more satisfactory ground of the declaration contained in the letter to M., that she was to hold the stock for her own benefit.

Subsequent acts by B., although admissible in evidence against B., could not be given in evidence on behalf of her representative. This was so determined in *Redington v. Redington*, 3 Ridg. 195, 197. The intention of the donor at the time of the grant is, consequently, all-important, and if it is evidenced by any declaration in favour of the grantees, the gift is irrevocable, except in the case of real estate, and other interests in land, subject to the statute of 27 Eliz. c. 13, by the indirect device of a subsequent sale to a purchaser for value. The main question in the present case was whether the fact that B. had required M. to execute the power of attorney was not evidence to show that M. was a trustee, at least to the extent of neutralizing the effect of the declaration in the letter. The Vice-Chancellor considered that it closely resembled a declaration of trust with a power of revocation. In such a case the relation of trustee and *cestui que trust* becomes permanently established, unless the grantor actually exercises the power of revocation. The analogous case at law is where there is an estate vested, but subject to a defeasance, which is never executed. True, in all these cases the grantee takes the property, equitable or legal, as the case may be, and so, in the principal case, M. doubtless was the owner of the stock at law. But the question before the Vice-Chancellor was confined to the intention of B. at the time of the transfer which mainly depended upon the admission of, and the weight attached to, the letter. It was clear that B. had no intention of

parting with all control over the property; and that her declaration that M. was to enjoy the stock for her own benefit, was only intended at most to give her a right to retain the stock as against third parties, but not as against the writer. Suppose that B. had had no alternative but to give the stock absolutely or not at all, we may fairly presume from the evidence that she would have made no transfer whatever. But the fact was that B. required M. to serve a certain purpose, and with this view, as well as on account of general good wishes towards her, she transferred the stock into her name, and reserving to herself only a power over it. The case, therefore, is but very slightly outside the principle laid down in *Prankerd v. Prankerd*, 1 Sim. & Stu. 1. In that case a tenant in possession of copyholds, grantable for lives, procured at his own expense a grant of it to his son in remainder, and at the same time surrendered it to the use of his will. Sir John Leach, V.C., held that it was not an advancement for the son, but that he was a trustee for the father, the surrender to the use of his will indicating an intention on the part of the surrenderer to retain a discretion as to the eventual disposal of the lands. In the principal case, however, there was an express declaration by the donor that the gift was to enure to the benefit of the donee. This alone differs from the case of *Prankerd v. Prankerd*, where there was no express declaration in favour of the son.\* The distinction is, we think, substantial, though we regret that the Vice-Chancellor did not feel himself compelled to decide that B. had placed herself in *loco parentis*. "That," said Lord Eldon, in *Finch v. Finch*, is a broad principle of law which must not be frittered away by nice distinctions."

### REVIEW.

*A Manual of the Winding-up of Companies under the Act and Rules of 1856, with Forms of Proceedings, Costs, Statutes, and a copious Table of Cases.* By JOSEPH S. TAYLOR, Solicitor. London: William Amer. 1865.

The financial monster of the present day which threatens to devour many of the private mercantile fry at present eking out a miserable existence, is represented by that portentous term "company." Since the passing of the Limited Liability Act, speculation has outsped itself, and the only reasons why over-trading has not produced its usual complement of failures and panics are that the Legislature has, by the limited Act, given the speculative prodigal a degree of protection which he did not previously enjoy, as also the fact that many companies, immediately after their appearance on 'Change, pass to the tender mercies of the official liquidator. In fact, of the 3,500 companies formed since 1856, not less than 1,000 have disappeared.

The climacteric period of companies, the bourse to which most of them are approaching, appears to be the protection of that well-employed official. Accordingly, a treatise on the winding-up of companies may, without much departure from truth, be regarded as a treatise on joint-stock law generally, at least on those points which require professional exposition, and which form the staple of the great litigation which many of the public companies have experienced. The *brochure* before us, for these reasons, contains a very good summary of the law and cases for nine-tenths of the posers respecting which a practitioner would desire to consult a work of authority. The author, however, in order to impart a scientific outline to the particular region of "winding-up," has given an introductory chapter on the formation, incorporation, and registration of companies; and the six different ways in which joint-stock companies may be formed are respectively treated in succinct, yet tolerably complete, detail.

The work consists of three parts. The first of which relates to the compulsory winding-up of companies; the second to their voluntary winding-up; while part three is somewhat miscellaneous, and treats of "proceedings against directors and officers of companies." In chapter 1, section

\* *Tucker v. Burrow*, 13 W. R. 771, Vice-Chancellor Wood refused to extend the presumption of advancement to a grandson (the illegitimate son of a daughter), who was living in the testator's house, and brought up by him. In that case there was no contemporaneous declaration whatever, but the land (copyhold exactly similarly situated to that in *Prankerd v. Prankerd*) was devised away from him.

2, Mr. Taylor briefly points out "the difference between the circumstances under which registered and unregistered companies may be wound up." But in section 3 he summarises not only the statutory, but also the case, law on the important question, "at whose instance a company may be wound up." For the convenience of such of our readers as may not have this compendious manual, we may inform them, in the author's words, that the following parties may petition for a winding-up, viz.:—An allottee of shares, assignee of debt, the company, creditors, executors who were not proprietors, provisional committee, shareholders, past-shareholders, scrip-holders, upon undertaking to admit their liability as contributories, and to do all acts necessary to make themselves shareholders." \*

The manual comprises all the latest cases on these points, as also the few exceptions of which they admit. In section 11 the author treats of the list of contributories, in settling which most disputes occur. As a specimen of the author's power of condensation, we extract the following list of contributories as given by him:—

"Shareholders under an unauthorized agreement with directors, allottees of shares, applicant for shares, assignee in bankruptcy, bankrupt under Act of 1849 for calls made after bankruptcy, *cestuis que trusts* where shares stood in the name of a nominee, devisees, directors for qualification shares, executors personally and as executors, past-holder of forfeited shares, husband separately, husband and wife jointly, holder of shares illegally issued, father of infant, married woman, mortgagee of shares personally, promoters and provisional committee-men, registered holder, holder of shares passing by delivery, subscribers, tenant for life personally, transferee, and, although the transfer was incomplete, transferee on invalid transfer, transferee on incomplete transfer, transferee to avoid liability, transferee on transfer to nominee of directors to stop inquiry, transferee on transfer to company, trustees personally, holders of shares issued *ultra vires*, past-holder of shares so issued."

The Rubicon of liability appears to us to be the granting of letters of allotment. The applicant may revoke his application before allotment, or the directors may refuse to accede to the applicant's request. But allotment is the formal recognition of the claim, and concludes the bargain on both sides; and, we may add, that nothing short of allotment will, as a general rule, be equally conclusive. A mere application for shares, as the author states, is wholly insufficient. He regarded an application as binding on the applicant, probably on the authority of *Best's case*, 13 W. R. 632. But that ruling being contrary to the common doctrine of mutuality in contracts, has been overruled: 13 W. R. 762.

Another ambiguity we find in the author's "list of contributories" relates to *cestuis que trusts*. These are never liable, except when the registered trustee's name is used for the purpose of defrauding the company, and fraud, of course, is an exception to every rule and every contract. A *cestui que trust* might desire to receive the dividends, and so profit by the company's transactions without incurring the risk of being placed on the list of contributories in the event of the company being wound up. In such a case as that the old maxim of partnership law, *cujus est communum debet sentire onus*, applied, and the *cestui que trust* was held not to be protected by his virtual fraud on the company: *Burn's case*, 9 W. R. 43; *Cox's case*, 12 W. R. 92.

We have seldom met a more satisfactory manual than this work. The author is evidently intimately conversant both with the legal principles and the rules of practice applicable to winding up; and the manual is one which will doubtless be soon appreciated by the profession, being most copious and lucid on every point. The work is prefaced by a table of cases also stating the point decided in each, and thus comprising the benefit of *juxta-position* of a table of contents. The forms and table of costs extend through a hundred pages, and there is also an excellent index.

### COURTS.

#### COURT OF BANKRUPTCY. (Before Mr. Commissioner GOULBURN.)

Oct. 25.—*In re Charles Wray Lewis.*—This was a sitting for examination and discharge under the second bankruptcy of Mr. Charles Wray Lewis, Barrister-at-Law, of Hammersmith. Debts, £393; no assets.

Mr. *Sargood* opposed for the assignees, and Mr. *Lucas* supported the bankrupt.

The adjudication in this case was made by the registrar upon his periodical visitation of Whitecross-street prison, Mr. *Lewis* having been in custody for some weeks at the suit of creditors. In opposition to the passing of the examination it was alleged and found in evidence that debts, which should properly have appeared in the schedule, had been omitted thereupon. Thus to Mr. *Teedy*, a surgeon, of the Belgrave-road, the bankrupt owed a sum of £7 10s., and to Mrs. *Cuthbert*, a laundress, and to other creditors he also owed money. On behalf of the assignees it was asked that, under these circumstances, the bankrupt should be adjourned *sine die*.

The bankrupt, in explanation, said the debts referred to were contracted some years since, and that their existence had escaped his memory.

Mr. Commissioner *Goulburn* said it was clear from the bankrupt's own admission that his accounts were incorrect, but the proceedings being by way of registrar's adjudication, the petition could not properly be dismissed. The correct course would be to adjudge the hearing *sine die*, with liberty to bankrupt to have a day named when he had filed amended accounts, he paying the costs of and occasioned by the adjudication.

Mr. *Lucas* asked for protection on the ground that his client had already suffered three months' imprisonment.

His Honour said the bankrupt might have protection for a month, the same not to be renewed without special application to the Court and notice to the assignees. Referring to the file of proceedings, he regretted to observe that Mr. *Lewis* was a bankrupt in the year 1861, and that he obtained his discharge upon a condition, with which he had not since complied.

Adjudication *sine die*, with liberty to apply.

Oct. 30.—*In re Edwin Stacey*.—*Disputed adjudication*.—The bankrupt in this case was a jeweller and silversmith, of Commercial-road, Portsea, Portsmouth. The adjudication, made two months ago by Mr. Commissioner *Holroyd*, had been disputed, on the ground that *Stacey* had, previous to the date of the petition, executed a deed of assignment, in conformity with the provisions of the 192nd section of the Act of 1861, and was therefore protected from proceedings in bankruptcy. On the part of the petitioning creditor it was sought to show that the deed did not fulfil the conditions prescribed by the Act, inasmuch as it had not been executed by a majority in number and three-fourths in value of the creditors, and the question resolved itself into one as to the amount of a particular debt due to a Mr. *Collier*, of Trowbridge, Wilts, a dissenting creditor—whether, in fact, it was £51 or £27 10s.

His Honour, after going through the affidavits, which were voluminous, said he had brought his mind to a very clear conclusion as to the point at issue. Mr. *Collier's* evidence was clear and consistent, and was supported by other testimony. That of the bankrupt was vague, and indefinite as to dates, and had apparently been got up for the sake of meeting the case. It was most important that great care should be exercised in the registration of those deeds, under which, according to the estimate of Mr. *Moffatt*, M.P., property to the amount of thirty millions passed. In this case the so-called deed had not been registered by the Chief Registrar, as required by the Act, nor even by his chief clerk, but simply by a clerk. He had no doubt that the bankrupt had intentionally put down Mr. *Collier's* debt at £27 instead of £51, by which improper return the requisite proportion of the creditors appeared to have assented, and the deed was accordingly registered. The adjudication would therefore be confirmed, and the bankrupt must pay the costs of disputing it.

Nov. 2.—*In re Charles Preston*.—The bankrupt was an attorney and solicitor, and notary public, practising at 63, Great Tower-street. Debts, £4,520, of which £3,358 are unsecured; with assets, good debts, £478; property given up to trustee, £220; property held by creditors, £450.

This was the meeting for examination and discharge.

Mr. *Moogen* appeared for the assignees; Mr. *Brough* for creditors; and Mr. *Reed* for the bankrupt.

In January of the present year the bankrupt executed a deed of composition, but no payment was ever made thereunder. On behalf of creditors it was now asked that the bankrupt should file a deficiency account, and a cash account for twelve months preceding the bankruptcy, it being alleged that

after the date of the deed, and before the bankruptcy, the bankrupt had executed a bill of sale over his office, furniture, and effects.

His Honour made the order prayed for, and ordered an adjournment.

—*In re Alexander William Dow Leather*.—The bankrupt was an attorney and solicitor, of Lincoln's-inn-fields. This was the sitting for examination and discharge; but the only account yet placed on the proceedings is the three days' statement from which it appears that the bankrupt owes the unsecured creditors £14,117, and £17,088 to those holding security. No estimate of the assets has yet been rendered. The cause of failure is thus set forth:—“Serious losses by bad debts and in the promotion of railway and other projects; loss of credit through incurring heavy liabilities for clients; and the effect which the recent money panic and its results continue to have upon the most lucrative part of my business—namely, negotiating loans and financing for railway contractors.”

Mr. *Lawrence* stated that a proposal had been made to take the case out of court on payment of a composition of 5s. in the pound.

Mr. *Sorrell*, for the assignees, consented to an adjournment. The bankrupt's furniture, valued at £2,000, had been settled on his wife; but a compromise had been effected, under which the assignees would receive £1,000.

The COMMISSIONER.—Is that the whole of the assets out of which 5s. in the pound is proposed to be paid?

Mr. *Sorrell* said there were other assets.

The bankrupt, in examination, denied that any of the furniture had been removed.

His Honour said he should require to be satisfied that the proposal was a reasonable one before confirming it.

An adjournment for two months was ordered.

Mr. *Fletcher*, of Liverpool, tendered a large proof on a joint and several promissory notes to which the bankrupt was a party, for £5,000.

Mr. *Sorrell* opposed the proof on the ground that the creditor was secured by the deposit of £10,000 of Neath and Brecon Bonds. If the proof were admitted, the composition payable to the creditors would be reduced to about 1s. 6d. in the pound.

(Before Mr. Registrar *ROCHE*.)

Oct. 26.—*In re Henry Pightling Marshall*.—A meeting for proof of debt and for choice of assignees was held under the failure of Mr. *Henry Pightling Marshall*, solicitor, 36, Langham-street, Regent-street.

Mr. *Ashurst* appeared as solicitor to the petition.

In this case the bankrupt applied to the Court upon his own petition, his debts being returned at £900, and his failure being attributed to losses sustained in connexion with a salt company, and incapacity from illness to attend to the duties of his profession. The bankrupt was arrested at the suit of Mr. *Alexander Jones*, and detained at the suit of Mr. *T. M. Fletcher*, but a petition in bankruptcy being filed, he obtained an unopposed order of release from custody.

Mr. *John Grantham*, of King's Arms-yard, engineer, was elected to the office of creditors' assignee.

Among the surrenders made during the present week was one by Mr. *William Pagden*, a solicitor formerly carrying on business in Mark-lane. The proceedings against Mr. *Pagden* were by way of judgment debtor summons, issued at the suit of a creditor under the 24 & 25 Vict. c. 134, Mr. *Pagden* being at the time abroad, but in consequence of the adjudication he was advised to return, and the surrender having been completed, a first meeting will shortly be held under the failure, protection being granted to the bankrupt in the meantime.

LORD MAYOR'S COURT.

(Before the Recorder and a Common Jury.)

Oct. 30.—*Brander v. Fitch*.—*The mysteries of the accommodation bill world*.—This was an action to recover a sum of money (£132 6s.) for cash advanced upon certain bills.

Mr. *Talfourd Salter* appeared for the plaintiff, and Mr. *Butler Righy* for the defendant.

Mr. *Salter*, in opening the case, detailed the nature of the transactions between the plaintiff and defendant.

Plaintiff said: I am an optician of the city of London. I have not put my name to any bill before me for an amount of £38. This bill had been given to take up another. The £38 bill was renewed by one of £41 11s. 6d. A bill of £44 17s. was substituted for the £41 10s. bill. I never

received any consideration for the bills. A bill for £45 10s. had been given, but previous to that I expected that defendant would take up the £44 17s. bill. I drew a bill of £45 19s., but previous to that I accepted a bill on a three-penny stamp, which was insufficient. I was to see to the bills and renew them as they became due.

Mr. *Boyd* said he had had bill transactions with defendant. In the first instance there was a sum of £50, obtained from a loan society, and he could not say how much defendant obtained of it. Did not think it was £40.

Cross-examined: When the plaintiff first put his name to a bill I was indebted to the defendant, who told me that he could not let me have any more money until I obtained security. Plaintiff gave me the bills now sued upon to enable me to take up bills upon which I was liable to defendant. I still owe defendant £150.

Re-examined: I claim property in Suffolk, and shall give defendant a bonus when I get it.

After some further evidence his Lordship pointed out that plaintiff had handed the bills over, and it would be for him to show that he was entitled to recover in this action.

In the course of his cross-examination defendant admitted that he had received a bill from the plaintiff which he had placed to *Boyd's* account, though he had received it for the purpose of retiring another bill upon which plaintiff was liable.

His Lordship said that defendant had no right to do this, and directed the jury to find the verdict for the plaintiff—£51 19s.—being £6 money lent and the bill for £45 19s.

Verdict for the plaintiff.

## APPOINTMENT.

Mr. **GEORGE GREEN**, Associate on the Oxford circuit, to be Clerk of Indictments, *vice* Mr. Richard Alfred Goodman, deceased. Mr. William Green to be Associate.

## IRELAND.

### IMPORTANT TO BANKERS—A NICE LAW POINT.

A case of considerable importance to the banking community and the commercial portion of the public generally was tried before Joshua Clarke, Esq., Q.C., Chairman for the Queen's County, at the Grangue Quarter Sessions, on the 27th inst. A person named Deigan drew a cheque on the Athy branch of the National Bank, in favour of Mr. M'Coombe, Manager of the Barrow Navigation Company at Carlow. The cheque was presented in the Carlow branch of the National Bank by Mr. M'Coombe, who received the amount, £17 odd, but when transmitted to Athy it was found that the drawer of the cheque had stopped its payment. It was then returned to Carlow, and Mr. M'Coombe was applied to and called upon to refund the amount, which he declined to do. Under the circumstances the manager of the Carlow branch of the bank took proceedings against Mr. M'Coombe for the amount. The case was very ably argued *pro* and *con.*, and his worship held that, in point of law, the bank had cashed the cheque at their own risk and could not recover against the person who presented it, although the justice of the case would be for the defendant to refund the cash and then settle the matter with the drawer. His worship, whose decision has, we are informed, caused considerable surprise (though we cannot tell why this should be so, as it seems to us clearly right), was about to dismiss the case, but, upon the application of plaintiff's counsel, consented to adjourn the case until next Quarter Sessions, and carefully to consider the points raised in the meantime.

## SOCIETIES AND INSTITUTIONS.

### SOLICITORS' BENEVOLENT ASSOCIATION.

The fifteenth general meeting of the members and friends of this society was held in the Library of St. George's Hall, Liverpool, on the 18th ult., Mr. Edward Banner in the chair. The following gentlemen were present:—Messrs. Hodge (Newcastle), Field, Payne, Janson, Torr, Squaray, Cookson, Duncan, S. Williams, Eden, Smith, Battye, Marriott, Plant, Cooper, Steble, Rose, Avison, Wasbrough, Brearey, Kennedy, Daggett, Stallard, Allen,

Eiffe (secretary), Thorley, Eddison, Gaskell, Taylor, and Rickman, &c.

The following report was read by Mr. Thomas Eiffe, the secretary:—

"Your directors have much pleasure in presenting this, their fifteenth report, to a general meeting assembled at Liverpool the birth-place of the association; and, as it is the first general meeting of the association which has been held there since its formation, it will not perhaps be deemed inappropriate to take this opportunity of briefly advertizing to the circumstances connected with the society's origin, and successful progress.

"At a meeting of the Metropolitan and Provincial Law Association, which took place at Liverpool in 1856, Mr. Anderton (the Chairman of your Board) took occasion, in pursuance of a notice he had given, to draw attention to the fact that the body of solicitors, as compared with other professions and callings, had very inadequately provided by charitable institutions for the less fortunate members of their profession, and for their widows and families, and he concluded by moving a resolution to the following effect, 'That it is highly desirable a benevolent institution should be formed, having for its object the relief of decayed attorneys, solicitors, and proctors, and their widows and orphans.' Mr. Banner, of Liverpool, warmly seconded that resolution, which was unanimously adopted by the meeting, and a committee, consisting of Mr. Anderton, Mr. Banner, and the late Mr. John Hope Shaw, of Leeds, was appointed to prepare the necessary rules for the projected institution. The following year at Manchester the subject was again brought under discussion, and the rules prepared by the committee underwent consideration and revision; and finally in 1858 this institution was inaugurated in London under its present title of the 'Solicitors' Benevolent Association,' and directors and trustees appointed for its future management. Since then meetings have been held in several of the leading towns throughout England:—at Bristol in 1858, London in 1859, Newcastle-upon-Tyne in 1860, Worcester in 1861, Birmingham in 1862, Leicester in 1863, and Leeds in 1864, in all of which the society has had the good fortune to secure kind and valued supporters, and it will doubtless be a source of gratification to the profession at Liverpool, who have so liberally aided in promoting the association, to see at this, its eighth October meeting, now held in their own town, the hopeful and promising aspect of the society which was first brought into existence under the fostering encouragement of their favour.

"With regard to the society's progress during the past half-year, your directors are happy to state that 50 additional members have been enrolled since the general meeting in April last, of whom 19 are life, and 31 annual. The total number of members throughout England and Wales is now 1,584, of whom 562 are life, and 1,022 annual subscribers. 17 life members contribute also annually to the society.

"An audited abstract of the accounts is appended, showing the total receipts for the half-year to have been £1,216 18s. 6d. Your directors gratefully acknowledge, on behalf of the association, a donation of fifty pounds from John Atkinson, Esq., of Liverpool; a legacy of fifty pounds under the will of the late Mrs. Lavinia Llewellyn a Solicitor's widow; a further donation of ten pounds from the Gloucestershire Law Society; and one of five guineas from the society of Clifford's-inn, London.

"The public dinner which took place in June last under the presidency of the Lord Chief Justice Erle, proved most successful. His lordship was kindly supported by Mr. Justice Montague Smith, and several distinguished members of the bar, and the result was a collection amounting to £704, including a contribution of forty guineas from his lordship, and liberal donations from the visitors present.

"Applications for assistance from a member and a member's widow were received during the half-year, in answer to which grants were made, of £25 in the one case and £15 in the other; and £35 was distributed in relieving families of deceased solicitors who were not members of the association.

"A sum of £850 was added to the invested capital in the purchase of India Five per Cents., the entire invested capital of the Association being now £10,390 18s. 2d., of which £5,319 11s. 10d., are India Five per Cents., and £5,071 6s. 4d. Consols. The annual dividends produced by the above, amounting to about £411, are applicable to purposes of relief under the conditions at present regulating the Society's operations. A balance of £168 18s. 3d. remains to the

society's credit with the Union Bank of London, besides £15 in the Secretary's hands.

"In conformity with the rules your directors and auditors retire from office at this general meeting, but will be happy to continue their efforts for the promotion of the society, should you think proper again to confide its interests to their care. You will be called upon at this meeting to elect a new trustee in the room of the late Mr. John Hope Shaw, of Leeds. Mr. Francis Hoole, of Sheffield, a member of your present board of directors, has been proposed for the vacant office, and has intimated his willingness to accept the honour.

"Your directors cannot conclude their report without again most strongly commending the claims of this Institution to the liberality of those members of the profession from whom it has as yet received no aid, and they would venture to suggest that there can be no more desirable means of promoting that cordial union and sympathy which should exist between brethren of the same profession, than the common support of an institution, founded as this is, for the relief of the afflicted and sorrowing amongst their professional kindred.

(Signed on behalf of the Board),

JAMES ANDERTON, Chairman."

"9, Clifford's Inn, London,  
18th Oct., 1865."

THE CHAIRMAN said it now became his duty to move the adoption of the report, the last words of which reminded him that their chairman, Mr. James Anderton, was by ill-health and accumulated years, prevented from being present that day. He was the father of this association, and he had, in the most diligent and successful manner, brought up the child in the way it should go. His absence would be a matter of sincere regret to them all. Death had removed another of their body, namely, Mr. John Hope Shaw, which was a very great loss to the association, for not only was Mr. Shaw a sincere friend and an ornament to the profession, but he had the interest of the society so much at heart, that up to the very last he was anxious to give it all his services in the promotion of its interests. The meeting would be called upon that day to elect a trustee in the room of that deceased gentleman. He (the chairman) had to congratulate the members of the association upon the very firm basis upon which it was placed. Whilst it was a matter of congratulation to themselves, he would go further and say it showed to those who confided their secrets to them, that the great asperities of their profession did not tend to chill the Christian feeling within them, but that they had been able to hold out a hand to help the indigent, and to raise a shield to protect the poor. He then moved that the report just read be received and adopted, and that the same be printed and circulated, with this day's proceedings, amongst the members of the profession.

Mr. EDDISON, seconded the motion.

Mr. ROSE thought, looking at the fact that the receipts of the society amount to £1,403, and that £75 only had been distributed to the poor members of the profession and their families, that either the trustees were remarkably hard-hearted men or else that their profession was so flourishing that very little help was required.

Mr. PAYNE considered with reference to what Mr. Rose had said, that it were so, that the members of their profession had not been in need, it was a very happy circumstance. If the applicants for relief had been more numerous, they would have been assisted. He had much pleasure in moving "That this meeting is gratified with the society's progress, and commends its objects to the support of every attorney, solicitor, and proctor throughout England and Wales.

This was seconded by Mr. P. Rickman, and agreed to.

Mr. HODGE proposed "That the thanks of this meeting be and are hereby presented to the directors and auditors or their valuable services during the past year." He was quite sure that a better set of officers than those upon the executive could not be found in the profession.

Mr. BREAREY, in seconding the motion, said he was sorry to find that the number of members of the association was so small in proportion to the great number of attorneys throughout the kingdom.

The motion was carried unanimously.

Mr. COOKSON, in acknowledging the compliment, alluded to the great interest he took in the association, said he looked forward with hope to its increasing prosperity from year to year. It was a very important institution, and one which ought to receive the support of every member of the

profession. There was a feature in this institution which he thought ought to be always remembered, and that was that every gentleman who in the day of prosperity contributed to this society might, when the day of adversity came upon him and his family, receive the benefits of the society without any feelings of humiliation.

Mr. S. WILLIAMS acknowledged the compliment on behalf of himself and brother auditor, Mr. Kimber, of London.

Mr. CLARKE ASPINALL, in moving the re-election of the directors and auditors, said they were not only grateful to them for past services, but they were also grateful to them on the Irish principle for favours to come. He hoped that the operations of the society would be very largely extended in the future.

The motion was seconded by Mr. MARRIOTT and passed.

On the motion of Mr. KENNEDY, seconded by Mr. TURNER, Mr. FRANCIS HOOLE, of Sheffield, was elected a trustee of the association, in the room of the late Mr. John Hope Shaw, of Leeds, deceased.

Mr. TORR (of London) wished, before the meeting separated, to bring before them a difficulty which the London directors had experienced in considering the rules with reference to an application for relief by the widow of a solicitor who, at the time of his death, was practising in Australia. The deceased never was a member of this association, and at the time of his death his widow was living in England. Her case was strongly recommended by some very valuable friends of the society. The difficulty arose upon the construction of the rules, and the directors who were present at the last meeting in London, when the question arose, suggested that it should be brought before the general meeting, not that this general meeting could alter the rules without notice, but with the view of getting an expression of opinion upon it, so that at the next general meeting the rule might be altered. By rule 1 it was provided that the association should consist of attorneys, solicitors and proctors practising in England and Wales at the time of their admission, and Rule 2 went on to say that the objects of the association should be to relieve such poor and necessitous members as might be incapacitated from business, and their wives and families. Then came the clause upon which the difficulty arose—"And where the state of the funds and circumstances of the case appear to the directors to justify their so doing, to render pecuniary assistance to the widows and families of deceased attorneys, solicitors, and proctors, who were not members at the time of their death." The question which arose was whether the definition of members in the first rule, which limited the qualification to persons practising in England and Wales, was to be supposed to exist in the second rule.

A very long debate followed upon this question, and after several resolutions had been proposed, it was agreed that inasmuch as there was considerable doubt in the minds of those present, the directors should be requested to consider the propriety of altering the rule.

The CHAIRMAN then reported that Mr. Torr had handed to him a cheque for ten guineas from the town-clerk of Bradford (Mr. Rayner) on the occasion of his becoming a life member.

On the motion of Mr. JANSON, seconded by Mr. ROSE, a cordial vote of thanks was tendered to the chairman.

In acknowledging the compliment the CHAIRMAN promised to support the association to the utmost of his power.

A similar vote having been passed to Mr. Eiffe, the secretary, the proceedings terminated.

#### METROPOLITAN AND PROVINCIAL LAW ASSOCIATION.

The members of the Metropolitan and Provincial Law Association this year held their annual meeting in Liverpool. The association opened their sittings in the library of St. George's Hall on the 18th inst., Mr. G. W. Hodge, of Newcastle-upon-Tyne, the chairman of the association, presided, and the other gentlemen present were Mr. Phillip Rickman, secretary, Mr. S. Williams, and Mr. H. S. Wasbrough, deputy-chairman, Mr. A. T. Squarey, vice-president of the Liverpool Law Society, Messrs. Lacey, Hull, Wright, Banner, Woodburne, W. Radcliffe, Bartlett, Gill, Avison, Payne, Aspinall, Martin, Lowndes, Bell, Yates, Thornley, Rogerson, Tyndall, N. Norris, G. Norris, Duncan, Eden, Bardswell, and Dodge.

The following gentlemen had been appointed deputations from different law societies in the kingdom, and most of them were present:—Leeds Law Society, Messrs. E. Eddison, John

Bulmer and Henry Appleton; Birmingham Law Society, Messrs. J. W. Warney, J. Rawlins, and G. J. Johnson; Kent Law Society, Messrs. J. Case, H. Sankey, and C. A. Smith; York Law Society, Messrs. H. Breary, G. H. Seymour, T. Hodgson, and R. Perkins; Manchester Law Society, Messrs. Marriott and Broadbent, vice-presidents. Cooper, chairman of committee and union law secretary; Worcester Law Society, Mr. Beale; Newcastle-upon-Tyne Law Society, Messrs. G. W. Hodge and W. Daggett; London Law Society, Messrs. Stephen Williams, T. Kennedy, J. S. Torr, J. Kendall, E. W. Field, J. Turner, W. S. Cookson, and F. Janson; and Dorking Law Society, Mr. A. Harp. The arrangements made by the local committee, of whom Mr. H. C. Duncan is the honorary secretary, for the reception and accommodation of the visitors to the town, were of a very satisfactory character.

The chairman opened the proceedings by calling upon the secretary to read the circular convening the meeting.

Mr. Phillip Rickman, the secretary, read the circular, which was issued on August last, and said that arrangements had been made during the meeting of the association for an excursion upon the river that afternoon, and on Thursday morning the courts of St. George's Hall would be visited at half-past nine, and at a quarter to eleven the members and visitors would proceed by a fast train to Manchester, for an examination of the new Assize Courts there.

The CHAIRMAN then proceeded to deliver the following address:—Gentlemen, it gives me great pleasure to preside as chairman of this association on the occasion of its provincial annual meeting being held for the second time in this great centre of commercial enterprise; and it is in the highest degree satisfactory to be able to state my conviction that during the period which has elapsed since 1856, when the former meeting in Liverpool took place, the association has steadily advanced in influence and importance, and has more than maintained the active usefulness of its operations. In accordance with the rules by which these meetings are governed, I will now relate to you, as briefly as possible, the chief matters which have engaged the attention of the committee since the annual meeting held in London on the 26th day of April last. The chief Parliamentary matters which, on commencing my duties as chairman, were under the consideration of the committee, were the bills for the concentration of the courts and offices of justice; three bills for the amendment of the law of evidence, brought in respectively by Sir Fitzroy Kelly, the Honourable George Denman (now, by an unlucky chance, no longer a member of the Legislature), and Mr. Scully; one for making costs payable in certain cases to or by the opponents of private bills; Mr. Paull's two bills for consolidating and amending the Acts regulating proceedings before justices of the peace out of quarter sessions, and for facilitating the discharge of insolvent debtors committed to prison under the County Court Acts for non-payment of debts not exceeding £20; two competing measures for the issue of land debentures and bills for the amendment of the law of libel; to provide for the payment by means of stamps of fees in the Courts of Common Law; and that very important limited liability measure brought in by the Government, the bill to amend the law of partnership, and the late Lord Chancellor's three bills—1st, for conferring on the County Courts a limited jurisdiction in equity; 2nd, for amending the law relating to attorneys and solicitors by (*inter alia*) the legalisation of contracts as to costs between them and their clients; and the third for providing for the abolition of arrest upon final process and the non-granting of discharges in bankruptcy except when either the estate should pay five shillings in the pound, or three-fourths of the creditors should consent. In addition to this mass of pending legislation which received every consideration at the hands of the committee, we also had before us the subject of the abolition of the certificate duty for which Mr. Denman had given notice of motion. The committee petitioned in favour of its object, and wrote letters to all the provincial law societies requesting their aid, and enclosing forms of petition for their adoption. In this way we obtained the views of the Brighton, Gloucester, Kent, Leicester, Manchester, Wolverhampton, Worcester and Worcestershire, and other law societies, and petitions from several of them. The matter, however, was not taken up so warmly, or so unanimously, in the provinces as the committee had expected, and the support received was not thought sufficient to warrant the continuance of the effort to abolish the tax during the recent session in Parliament. Should Mr. Denman succeed in obtaining a seat in the House of Commons in time, or

should some other member of Parliament of equal ability and influence bring the subject forward next session, the committee's warm support will not be wanting for the furtherance of the object in view. The bills for the concentration of the courts and offices of justice, after weathering various storms, were well nigh shipwrecked by amendments introduced at the eleventh hour by the House of Lords. These amendments comprised the very dangerous element of an alteration of the bill for providing the money. In this conjuncture the committee appointed, in May last, nine of their most active members, with power to add to their number, to be a sub-committee to watch and assist the progress of these bills; and, if they should be passed, to represent the association (either in conjunction with any committee which might be appointed for a similar purpose by the Incorporated Law Society, or otherwise) in considering any plans for the interior arrangements of, and approaches to, the proposed new courts of justice and offices, and to report thereon to the managing committee. This sub-committee accordingly, individually and collectively, brought to bear every influence and means at their disposal, as did also the council of the Incorporated Law Society and others, and the difficulty as to the amendments was finally got over by the Commons agreeing to the Lords' amendments, except that of the money bill, on which their lordships forbore to insist, and the bills received the royal assent. A Royal Commission, of which most of the judges, many officers of State, and law officers, and Messrs. W. S. Cookson, W. Williams, and John Young are members, and Mr. E. W. Field is secretary, has been appointed for carrying the measure into effect. The sub-committee appointed by the managing committee is now in active communication with the Royal Commission, also with the provincial law societies, and with Mr. Waterhouse, the able architect of the magnificent new courts at Manchester, respecting the best mode of arranging the interior of the courts and offices, and the approaches thereto, in order that every possible benefit and convenience may be afforded to the profession and the public by the long looked-for palace of justice. With this view the sub-committee propose taking the accommodation which would have been afforded by the adoption of Mr. Abraham's plans as a starting point, and suggesting the alterations which they may think advisable. The Incorporated Law Society has also appointed a committee for the same purpose on which I have been placed, owing to the position I have the honour to occupy as chairman of this association. The course adopted by your committee, with reference to most of the remainder of the above-named bills, has been already laid before the members in the last annual report. It will be needless, therefore, for me to do more than mention that of such bills many have been withdrawn, the following only have passed into law, viz.:—Mr. Denman's Felony and Misdemeanour Evidence and Practice Bill, the Private Bill Costs Bill, Lord Naas' Mortgage Debenture Bill, the Common Law Courts (Fees) Bill, the Partnership Law Amendment Bill, and the County Courts Equitable Jurisdiction Bill. On the Attorney-General's Crown Suits Bill being brought into Parliament, the committee prepared a petition for its amendment by the addition of clauses, providing that the provisions relating to judgments, statutes, and recognizances contained in the 27th & 28th Vict. c. 112 (Mr. Hadfield's Act) should extend to include (so far as *bond fide* purchasers and mortgages are concerned) all future debts and obligations to the Crown. This petition the committee placed in the hands of Mr. Hadfield, by whom it was presented to the House of Commons. After considerable discussion in the House on Mr. Hadfield's motion, the bill passed; but instead of the clauses proposed by the committee, others were introduced, providing that future Crown debts should not affect land as against purchasers and mortgagees till a writ of execution should have been issued and registered; thus retaining the present necessity for a search for Crown debts at the Common Pleas Office, the abolition of which search was the main object of the amendment proposed by your committee. With regard to the proposals for conferring on the county courts a further jurisdiction in Admiralty, respecting which it is mentioned in the last annual report that the committee were waiting for the report of a sub-committee, appointed by the Liverpool Law Society, the committee have since received a letter from the Liverpool Law Society, stating that the sub-committee had not come to any resolution in favour of enlarging the present Admiralty jurisdiction of the county courts, as their sub-committee thought it desirable to have a local Admiralty court at Liverpool. The committee have also taken measures to

obtain a reform in the Middlesex Registry Office, the necessity for which, and the course adopted to endeavour to obtain such reform, will be most apparent to you from the following copy of a letter to the Lord Chancellor (Cranworth), Chief Justices, and Chief Baron:—

“Metropolitan and Provincial Law Association,  
“25, Chancery-lane, W.C.  
“4th August, 1865.

“To the Lord Chancellor,

“The Chief Justice of the Queen's Bench,  
“The Chief Justice of the Common Pleas, and  
“The Chief Baron of the Exchequer.

“My Lords,—I have been requested by my colleagues, on the committee of management of this association, most respectfully to draw the attention of your lordships to the following circumstances respecting the management of the Office for Registry of Deeds in Middlesex, in the hope that you will be pleased to give the matter your kind consideration, and to direct such reforms to be made as you may deem convenient and necessary.

“Your lordships are aware that the Act 7 Anne, c. 20, latter part of section 2, gives your lordships, or any three of you, full power to make such rules and orders for the better management and government of the Middlesex Registry Office, as you shall find convenient and necessary.

“By section 2 of the same Act, the registrar is to be allowed for registry of every memorial the sum of one shilling and no more, unless the memorial exceeds 200 words, and then after the rate and proportion of sixpence an hundred for all the words over and above the first 200, and the like fees for any certificate or copy given out of the said office and no more, and for any search in the said office one shilling and no more.

“A return, ordered by the House of Commons to be printed on the 16th of July, 1862 (a copy of which is inclosed), states (*inter alia*) as follows:—

“The fees received for the registry of deeds are seven shillings for memorials of 500 words, and sixpence for every 100 words in excess of that number.

“The fees provided by the Act of 7 Anne, c. 20, were altered, as the present registrars are informed, in 1768, in pursuance of an arrangement between the then registrars and the public, and have since that period been always received in accordance with the amended scale.

“They are not aware of any special authority for the alteration.

“The application of such fees is first in paying all expenses incident to the office, leaving the balance to be divided into four shares, three whereof being the emoluments of the three registrars in equal proportions, and the fourth share is paid into the Treasury in pursuance of the Act, 22 & 23 Vict. c. 21, which repealed that of 7 Anne, c. 20, in so far as it provided for the Queen's Remembrancer being one of the registrars of deeds for the county of Middlesex.

“By the same return it also appears that for a great number of years past, the balance thus divisible in fourths, has largely and increasingly exceeded the whole expenses of the office, until in 1861 (the last year included in the return) the amount of fees received was £7,973 0s. 7d., while the expenses of the office were only £2,173 0s. 7d., and the balance divisible was £5,800.

“The return also states that “the building in which the memorials and records are kept is not fireproof.

“I beg also to draw your lordship's attention to the inadequate accommodation and index afforded to the public in the office for the statutory fee of one shilling per search.

“To be personally convinced of the great want of accommodation for searchers, it is only necessary to pay the registry office a visit between the hours of eleven and two, when the press of business is greatest; but, as will be seen by the enclosed copy of our correspondence with the registrars, they themselves state that they have been aware “for some years past” of the need of improvement in this respect, and propose to effect it satisfactorily in “about a year.”

“The great labour of searching the index, accessible for the statutory fee of 1s., has become so manifest that for some years past a lexicographical index has been compiled, but for each search in this index a fee of 2s. 6d. instead of 1s. is required. This increased fee, I would humbly suggest to your lordships, is one that should not be charged, especially in face of the very large surplus annually derived from the other and mainly unauthorized fees taken in the office, and of the fact that in several other public offices (that of the Probate Court and the Common Pleas Registry of Judgments

Office, for instance) the use of a lexicographical index is now afforded without any additional charge to searchers.

“Your lordships' kind attention to this subject will confer a great boon upon the public and upon the legal profession, upwards of 800 of whom are members of this association.

“I have the honour to be, My Lords,

“Your Lordships' most obedient humble servant,

“STEPHEN WILLIAMS, Chairman.”

A letter has since been received from the Lord Chancellor acknowledging the receipt of the above, and informing us that the subject shall receive his lordship's early attention. Since the last annual report the following have been among the points of practice submitted for the opinion of the committee, and the answers given follow the queries:—

Where property is in mortgage, who has the right to prepare and engross a lease and counterpart, and how should the costs be apportioned, as it is clear the lessee is liable for the ordinary costs of lease and counterpart only ?

If the mortgagor is in possession his solicitor is entitled to prepare and engross a lease and counterpart. If the fact of the mortgage was disclosed to the lessee in the contract, the lessee must pay all expenses; but if that fact was not so disclosed, the mortgagor must procure the mortgagee's concurrence at the mortgagor's expense.

A meeting of creditors is convened, at which the debtor's solicitor attended, and A., a solicitor who acted for the largest creditor, and represented half the amount of creditors; the meeting was adjourned for the purpose of receiving a report from two of the creditors who were appointed a committee to investigate the books, and say what was in their opinion the proper mode of liquidation. Those creditors were clients of A. At the adjourned meeting the committee reported that an assignment was the proper course to adopt, which the meeting confirmed, and the committee were named trustees, thereupon the debtor's solicitor produced a statutory form of assignment, to which A., who again attended, objected, and alleged that as some of the creditors held security there should be proper clauses introduced, and a formal deed which would bind non-assenting creditors prepared.

1. Under these circumstances, whose duty is it to prepare the assignment ?

2. Whose duty is it to procure the signature of the creditors ?

3. Is it professional for the debtor's solicitor to obtain, without the interference of A., the signature of A.'s clients ?

4. Whose duty is it to see to the registration of the deed ?

5. What are the relative duties of the debtor's solicitor and the trustee's solicitor ?

#### ANSWERS.

1. The debtor's solicitor should prepare the assignment.

2. And procure the signatures of the creditors; but as A. represents a committee he should peruse the deed. The debtor's solicitor in fact cannot expect to get any signatures unless the committee have approved the deed.

3. We should think yes, but this must depend much on circumstances. It is not unprofessional to go direct to the creditors with a composition deed, and it would be impracticable to go to all through separate solicitors.

4. The debtor's solicitor should see to the registration of the deed.

5. Seems answered by the above.

Having dismissed this dry catalogue of the transactions of the association during the past year, let us for a few moments consider the prospects of the profession. It cannot be denied that, hitherto, as a class, we have not occupied the position to which we are entitled; and, that whilst all the honours and rewards of the legal profession are conferred upon members of the bar, solicitors have been considered as absolutely disqualified; the cause of this, our exclusion, is not to be found in the fact that the duties which we discharge to our clients and to society at large are less important than those which barristers are called upon to perform. On looking for a reason for such a state of things, I cannot help feeling that it may in a great measure have arisen from the fact that till within a very recent period the educational standard of the gentlemen of the bar was undoubtedly higher than that of solicitors. It is pleasing, however, to reflect that for the last few years the solicitors, of their own motion, have rendered it altogether impossible that any one hereafter shall say that, as a body, they are uneducated. If I desired to adduce a practical illustration of the usefulness of this as-

sociation, I would point to the discussion which took place in this room in 1856, on the subject of legal education (which was commenced by my friend, Mr. Field, to whom the profession is much indebted on this as well as on other grounds)—I would point to the unanimous opinion of the members then present as to the want of a higher standard of professional education; and to the energetic measures taken by the association consequent thereupon, which, I do not hesitate to say, very materially strengthened the hands of the council of the Incorporated Law Society, and assisted in bringing about the preliminary and intermediate examinations, the result of which cannot fail before long greatly to improve and elevate our professional status; and let us hope that we may shortly be acknowledged as qualified for those public offices from which we have been so long excluded. I believe I may venture to say that the executive of this association will, on every favourable opportunity, assert the claims of solicitors to the appointment to those public offices for which their education and practical knowledge of the law would seem so well to fit them. Having glanced at the status of the profession, I may be pardoned for making a passing allusion to the material interests of solicitors. There can be no doubt that we all enter the profession with a view of earning an honourable livelihood. It is a remarkable fact that with the enormous increase of the population of Great Britain during the last few years, the number of solicitors has not increased, whilst all other professions have enormously increased. The only satisfactory reasons which can be adduced for such a state of things are, that there is no honour or distinction to be awarded to solicitors; and that, whilst the scale of remuneration has not been equal to that awarded to the members of other professions, the mode of obtaining that remuneration (by the length of documents and the multiplication of proceedings) has been very far from satisfactory, either to the practitioner or the public. I need not tell you that this association has not been unmindful of the interests of the profession on this important subject; the last yearly report alludes to this matter, and pays a fitting compliment to the exertions of the Liverpool Law Society in aid, or rather in advance of, the general movement; and but for the retirement of Lord Westbury from the woolsack, I believe some very material improvements would ere now have been made in the scale of remuneration for Chancery business. It cannot but be satisfactory to know that the general feeling of the judges appears to be in favour of a higher rate of remuneration for skilled professional services. And I trust that this association, acting in strict accord with the Incorporated Law Society, and having the valuable co-operation and assistance of the Liverpool and other influential provincial law societies, may ere long be able to report that the whole system of professional remuneration has been placed on a more rational and satisfactory footing. In conclusion, allow me to say a word or two as to the objects of this association. "The objects of the association are to unite and organize the influence of practising attorneys and solicitors throughout England and Wales; to promote the better administration of the law, and to protect the rights, and increase the usefulness of the profession." On all occasions when necessity arises for taking active measures for protecting the rights and increasing the usefulness of the profession, this association does not hesitate to take the initiative, and to originate such measures as may be deemed desirable, and for the general good, not of the practitioner merely, but of the public at large. We profess not only to watch over those amendments in the law which may be supposed chiefly to affect the members of the legal profession, but we seek also to aid the Legislature by affording at all times such information on measures for promoting the better administration of the law, as our practical experience enables us in a greater degree than almost any other class of individuals, to afford. And it is matter for congratulation that the opinions and views of this association on important matters of legal reform are now frequently sought for, and always respectfully considered by the Government, and by the highest dignitaries of the law. So long therefore as this association continues faithfully and zealously to perform the important duties which called it into existence, I consider it entitled to the support of every right-minded member of the profession. We must remember that although individually many men in our ranks may be possessed of much influence, yet in these days the objects for which we are associated together cannot be effected by individuals. Union and co-operation will alone enable us to

make our views and opinions known, and obtain for the profession that respect and consideration to which it is so justly entitled.

The CHAIRMAN, before sitting down, invited a discussion upon the above address.

Mr. W. S. COOKSON (London) thought they would all agree that the address was an exceedingly able and valuable one, and that they were indebted to the chairman for the attention he had devoted to the preparation of it. There was one point, however, in the address with respect to which the chairman had not been rightly informed; that was upon the subject of the bills for the concentration of the courts and offices of justice. The clause proposed by Lord Redesdale was inserted in the bill by a majority of one or two. It was felt by all those interested in the subject that it was impossible that the clause could be accepted. The clause was modified, an amendment was moved by the Attorney-General and passed by the House of Commons, and consented to by the House of Lords. It was considered that the clause proposed by Lord Redesdale could not possibly be accepted by those who were interested in the promotion of the measure.

The CHAIRMAN said he was much obliged to Mr. Cookson for the correction.

Papers were read by Mr. Lowndes on Law Reform in connection with the Concentration of the Courts and Offices of Justice; by Mr. H. J. Francis on The Fusion of Law and Equity; by Mr. W. Daggett on Local Admiralty Jurisdiction; by Mr. J. Turner on Professional Remuneration; and by Mr. Charles A. Smith on the Laws relating to Dogs.

Some discussion took place after several of the readings, and the association adjourned, having arranged to hold their next annual meeting at Canterbury.

[It is intended from time to time to give in the columns of the Journal some of the most important of the papers read at this meeting.]

#### ARTICLED CLERKS' SOCIETY.

##### SECOND ANNUAL REPORT.

*To the Members of the Articled Clerks' Society.*

Gentlemen.—The recurrence of the annual meeting calls for the committee's usual report of the society's proceedings during the past year.

Those proceedings testify to a numerical increase of the society's strength, to a greater recognition of its utility by the profession at large, to a better appreciation of its value by the members, both as a medium of legal education and as a school of oratory, and to a more extended sphere of action for the attainment of those important objects for which the society was founded.

The fact that the number of its members has been nearly doubled during the past year sufficiently denotes the estimation in which it is held by that class for whom it was especially intended.

Upon a rule being passed, limiting the number of vice-presidents to twelve the Honourable Mr. Justice Shee, Sir Fitzroy Kelly, Q.C., M.P., Mr. Serjeant Payne, and A. J. Stephens, Q.C., LLD, consented, at the request of the society, to complete the number.

The resignation of the Great Seal by the Lord Westbury caused a vacancy in the office of president, which has been filled up by the Lord Chelmsford, whose vice-presidency, thereby vacated, has been accepted by J. T. Abdy, Esq., LLD.

Your committee gratefully acknowledge the assistance rendered by Mr. Serjeant Simon in presiding over the first inauguration meeting, the great success of which was, to a considerable extent, due to the presence of so eminent a member of the profession.

Your committee has also to acknowledge the kindness of William Drummond, Esq., in rendering similar service at the first anniversary meeting.

The society has met on twenty-two occasions during the past year, eighteen of which have been appropriated to debate, and four to the general business of the society.

The subjects discussed have included eight of a legal, five of a jurisprudential, and five of a general character, as follows:—

*Legal.*—1. Specific performance. 2. Stoppage in transitu. 3. Distribution of real assets. 4. Contracts to serve for life. 5. Parol evidence in Courts of Equity. 6. International civil procedure. 7. Covenant not to underlet. 8. Perjury. *Jurisprudential.*—1. Governmental compensation to ac-

quitted prisoners. 2. Abolition of Metropolitan Grand Juries. 3. Imprisonment for Debt. 4. Penal Colonies. 5. Admission of a Prisoner's evidence.

*General.*—1. The Government of India. 2. The American War. 3. The Repeal of the Malt Tax. 4. Attorneys' Certificate Duty. 5. Extension of the Franchise.

The attendance at these meetings has been very satisfactory. The average number of speakers, exclusive of honorary members and visitors, has been nine.

Your committee has endeavoured to increase the utility of the society by promoting several important schemes calculated to advance the interests of the legal profession, among which may be mentioned a petition to the House of Commons in favour of the Courts of Justice Concentration Bill, which was presented on behalf of the society by her Majesty's Attorney-General; an arrangement for bringing other societies into union with your own; co-operation with a movement in favour of law classes; and an endeavour to establish honour examinations and the permanent distinction of merit.

Your committee has little change to record in its own body. Mr. McArthur retired from the executive at an early period of the year, and at the same time it was arranged that the reporter should be *ex officio* a member of the committee. The vacant place was therefore filled by Mr. Patrick Wm. Drummond.

With respect to the financial condition of the society, the treasurer's annual statement will sufficiently indicate the society's financial position.

A select committee was appointed on the 2nd August to revise the rules; a revised code was presented on the 11th October and adopted by the society.

The permanent success of the society being now completely established, your committee need only desire that every member will avail himself to the utmost of the advantage offered, and make the benefits of membership known to articulated clerks and solicitors throughout the profession.

By order of the committee,

WYNNE E. BAXTER, Hon. Sec.  
Whittington Club, Arundel-street, Strand, W.C.  
Oct. 25.

#### LAW STUDENTS' DEBATING SOCIETY.

The first meeting of this society for the session, 1865—6, was held at the Law Institution on Tuesday last; Mr. G. Sangster Green in the chair.

The following question was discussed—"Is a person who takes a guarantee bound to disclose to the surety, without inquiry, all the material facts within his knowledge relating to the position of the principal?" *Lee v. Jones*, 13 W.R. 318; *The North British Insurance Company v. Lloyd*, 10 Exch. 523."

Mr. Kenwick opened the question on the affirmative, and Mr. Burrell on the negative side, and it was ultimately decided in the negative by considerable majority.

At the meeting held at the Law Institution on Tuesday the 31st ultimo, Mr. Addison in the chair, the following question was discussed—"Is a post-dated cheque payable to bearer in the hands of an innocent holder void?" *Austin v. Bunyard*, 13 W.R. 773; *Whistler v. Forster*, 11 W.R. 648; *Allan v. Keeves*, 1 East. 435.

The question was opened on the affirmative side by Mr. G. Sangster Green, and on the negative side by Mr. Winch, and was ultimately decided in the affirmative by a considerable majority.

#### THE INSTITUTE OF SHORTHAND-WRITERS.

On Monday last a meeting of shorthand-writers was held at the Law Institution, Chancery-lane, at which it was resolved unanimously that the institute should be founded. Several of those who, according to the "constitution and laws" as approved, were eligible to become the first members were elected by ballot, and others, upon whose admission the first members will have to decide, handed in their names to the chairman as candidates.

#### BRISTOL LAW LIBRARY SOCIETY.

##### PRESERVATION TO HENRY SIDNEY WASBROUGH, ESQ.

Mr. Wasbrough having resigned the office of honorary secretary to this society, which he has held for twenty-five years, it was determined by the members to present him with a piece of plate to perpetuate their sense of his kind and efficient services during that long period. The presentation took place at the annual meeting of the society, held on the

23rd inst. The testimonial consists of a silver claret jug, a centre piece for the dinner table, and four raised dessert dishes, selected from some very elegant designs furnished by Messrs. Taylor & Co., of College-green. The following resolution was passed at the meeting:—"That this meeting, in accepting the resignation of Mr. Wasbrough as honorary secretary, tenders him the best thanks of the society for his courteous and efficient services in that office for the last twenty-five years, and feels a great pleasure in directing a record on their minutes of the presentation to him of a piece of plate to perpetuate their appreciation of his valuable assistance."

At this meeting Mr. Lewis Fry was elected treasurer and honorary secretary of the society.

#### LAW STUDENTS' JOURNAL.

##### LAW LECTURES AT THE INCORPORATED LAW SOCIETY.

MR. EBENEZER CHARLES, on Equity, Monday, Nov. 6.  
MR. HUGH SHIELD, on Common Law and Mercantile Law, Friday, Nov. 10.

#### ADMISSION OF ATTORNEYS

##### Queen's Bench.

##### NOTICES OF ADMISSION.

[The clerks' names appear in small capitals, and the attorneys to whom articled or assigned follow in ordinary type.]

BANKS, JOHN DANIEL.—George Webster, Liverpool.  
BEAUMONT, GEORGE FREDERICK.—John Alfred Beaumont, Birmingham.

BOWER, VERNON.—Edward Bower, Birmingham; Mark Whyley, Birmingham; Frederick Price, Birmingham.  
CLUTTERBUCK, RICHARD HENRY.—George Watson, Fakenham.

FARRAR, FRANCIS WILLIAM LEWIS.—Frederick Farrar, 12, Godlinton-street, Doctors'-commons.

KNOTT, HENRY NICHOLLS.—W. W. Heming, Banbury; A. W. Knott, Worcester.

LEECH, WILLIAM.—Joseph Leech, Moorgate-street.

MAPLES, ARTHUR.—Thomas Carson, Liverpool; Arthur Ellis, Liverpool.

MARCH, OCTAVIUS.—Owen March, Rochdale.

MIDDLETON, JOHN BOULTBEE.—R. A. Wallington, Leamington.

MILLINGTON, RICHARD WRIGHT.—W. H. Holdich, Sleaford.

MURROW, CHARLES.—James Murrow, Liverpool; R. C. Brown, Liverpool.

PODE, JOHN SPURRELL.—N. Were, Plymouth.

PRICE, JAMES.—J. Phillips, Chippenham; J. C. James, Haverfordwest.

PRICHARD, ROBERT, Jun.—R. Prichard, Sen., Llwydrath Esgob, Anglesey.

PRITCHARD, WILLIAM.—H. B. Roberts, Bangor; H. Barber, Bangor.

SPENCELY, CASTLE.—Orlando Hyde, Cambridge; William Richard Sumpter, Cambridge.

STANTON, JOHN.—E. D. Stanton, Chorley.

TAYLOR, WALTER.—John Yarde, 4, Brunswick-square.

TURNER, CHARLES ABRAHAM.—Charles W. Estcourt, Newport, Isle of Wight; James Augustus Turner, Stoke-under-Hamden.

WILDE, CHARLES THOMAS EDWARD.—Charles Norris Wilde, 21, College-hill, London.

WOOD, THOMAS GARD.—William Wood, New Kent-road.

WRIGHT, HENRY GRANVILLE.—J. G. Bonner, 15, London-street, Fenchurch-street.

*Michaelmas Vacation, 1865.*

PEARCE, ROBERT.—A. H. Aldous, Ipswich.

*Last Day of Michaelmas Term, 1865.*

BACON, HENRY SKETCHLEY.—Henry Verrall, Brighton.

BIRCH, HENRY.—George Birch, Litchfield.

BLEWITT, WILLIAM.—William R. Preston, 13, Gresham-street, City.

BONE, FOSTER JOHN.—Allan Belfield Bone, Devonport.

CHALK, RICHARD.—W. H. Cave, Newbury.

CLARK, JOHN NATHANIEL.—John Clark, 9, Cook's-court, Lincoln's-inn.

HINCKS, JOSEPH, Jun.—Henry Underhill, Wolverhampton; F. Adams, Birmingham.  
 MARGERISON, WILLIAM.—James Wood, Bradford.  
 STANDBRIDGE, THOMAS, Jun.—John P. Kaye, Birmingham.  
 TUDWAY, CLEMENT, Jun.—Richard Mullings, Cirencester.  
*For previous names see p. 896, ante.*

NOTICES OF APPLICATIONS TO TAKE OUT OR  
RENEW ATTORNEYS' CERTIFICATES.

27th November, 1865.

Ayerst, Francis, 26, Besborough-gardens, Pimlico.  
 Barnes, Albert, Norwich.  
 Bastard, Edward, 9, Barnard-street, Russell-square; and 9, Tredegar-square, Bow.  
 Bell, William Henry, Maidstone.  
 Blyth, Frederick Branton, 23, Upper Belgrave-place.  
 Boydell, Charles Fields, 41, Queen-square, Bloomsbury; Melbourne, Victoria; and the High Seas.  
 Brett, John, Buxton-road, Stratford.  
 Briggs, Frederick, 1, Lindsay-terrace, Blue Anchor-road.  
 Brock, Jervis, 15, Duke-street, Adelphi.  
 Bullock, George, Sellack, near Ross; 18, New Ormond-street, and 9, Ampton-street, Gray's-inn-road.  
 Caton, George, 1, Carey-street, Lincoln's-inn; and Fulham.  
 Carless, Joseph, jun., Hereford; and 1, Burwood-place, Edgware-road.  
 Clarke, Edward Lionel Alexander, 1, Westbourne-place, Paddington; and 35, Great Ormond-street.  
 Cranch, Richard, Derby.  
 Davies, Henry Gilbert Rice, Hastings.  
 Flaman, William, Newton Abbott, Devon.  
 Foggo, Francis Alexander, 1, Durham-terrace, Peckham; 1, D'Eynsford-road, Camberwell.  
 Frost, Michael, Mannamead, Plymouth.  
 Furness, Martin Edward, 79, Cambridge-street, Pimlico.  
 Heap, John Cadman, 3, Albion Cottages, Kilburn.  
 Hincks, John Swanwick, 5, Wellington-road, Stockwell.  
 Hulton, Frederick Campbell, Penwortham, near Preston.  
 Humphry, Joseph Godfrey, 33, Fenchurch-street; and 2, Verulam Buildings.  
 Hayward, Thomas, 14, Westbourne Park Villas, Bayswater.  
 Jenes, Walter Boucher, 324, Regent-street.  
 Johnstone, William Paul, 6, Keppel-street, Russell-square; and 9, Gibson-square, Islington.  
 Lander, George Moseley, 2, St. Paul's Crescent, Camden Town.  
 Mayo, Charles Thomas, Corsham, Wilts; and Temple Cloud, Somerset.  
 Perry, William, 1, Lincoln's-inn-fields.  
 Pierce, Walter, Liverpool.  
 Powell, George Thompson, Croydon; and 44, Lincoln's-inn-fields.  
 Robinson, William Joseph, Liverpool.  
 Simpson, Edward Palgrave, 3, Torrington-street; 9, Gower-street; and Richmond.  
 Stables, George, Scarborough.  
 Stokes, Charles William Rees, 57, Great Russell-street; and Hampstead.  
 Stretton, Albert, Leicester.  
 Tatham, William, Jun., 17, Old Broad-street; and 40, Dorset-square.  
 Utton, Charles Philip, Dalston, Middlesex.  
 Waring, Henry, Swansea.  
 Welby, Charles Wade, Nottingham; and 13, Westbourne-crescent, Hyde-park.

## COURT PAPERS.

## CHANCERY CAUSE LIST.

Sittings after Michaelmas Term, 1865.

## BEFORE THE LORD CHANCELLOR AND LORDS JUSTICES.

*Appeals.* Blackett v. Bates (W.—Ju. 9.)  
 Green v. Crockett; Crockett v. Green (S.—March 27) Revett v. Southampton, Isle of Wight, and Ports, Imp. Steamboat Co. (R.—Jne. 23)  
 Nunn v. Fabian (R. May 29) Rhodes v. Bate (S.—June 26)  
 Mortimer v. Bell (R. May 29) Cochrane v. Willis (R.—May 30)  
 Robinson v. Clarke (R.—May 31) Lawrence v. Austin (R.—June 28)  
 (F.C.) Davies v. Shepherd (W.—June 3) Harrison v. Collinson (R.—June 28)

Seixo v. Provezende (W.—June 29)  
 Moss v. Anglo-Egyptian Navigation Co. (S.—June 30)  
 Durell v. Pritchard (R.—June 30)  
 Gladholm v. Barker (R.—July 7)  
 Caton v. Caton (S.—July 15)  
 Clutton v. Strode (R.—July 17)  
 Greatrex v. Banton (R.—July 18)  
 Moss v. Anglo-Egyptian Navigation Co. (S.—July 20)  
 McIntosh v. G. W. Rail. Co. (S.—July 24)  
 Jefferys v. Dickson (W.—July 26)  
 Williams v. Williams (K.—July 27)  
 Clarke v. Clark (W.—July 31)  
 Jones v. Lock (S.—July 31)

Smith v. Edwards (S.—Aug. 1)  
 Collier v. McBean (R.—Aug. 2)  
 Landon v. Tucker (S.—Aug. 7)  
 Nevinson v. Lennard (R.—Aug. 8)  
 Moore v. Marable (R.—Aug. 8)  
 Southern v. Harriman (W.—Aug. 9)  
 Yates v. Jack (W.—July 10)  
*Causes.*  
 (L.C.) Baxendale v. West Midland Rail. Co. m d  
 (L.C.) Baxendale v. G. W. Rail. Co. m d  
 (L.J.) Low v. Routledge m d  
 (L.J.) Att.-Gen. v. St. John's Hospital, Bath (2) m d & pet  
 (L.J.) Wood v. Scopes f c

## BEFORE THE MASTER OF THE ROLLS.

*Causes, &c.*  
 Partridge v. Wilshin exons  
 Kelson v. Egyptian Commercial and Trading Co. dem  
 Hodson v. Fielden m d  
 Butler v. Grave m d  
 Baillie v. McKewan m d  
 Rucker v. Seymour m d  
 Whitwell v. Arthy m d  
 Greenhow v. Price m d  
 Kemp v. Nowell m d  
 Beck v. Palmer m d  
 Tweedie v. Phelps m d  
 Clarke v. Eversfield m d  
 Ormerod v. Rostron f c  
 Howard v. E. Shrewsbury c  
 Beresford v. Conyers m d  
 Cheesman v. Price m d (Nov. 6)  
 Thomas v. Chorley m d  
 Summers v. Griffiths m d  
 Goldsmith v. Tunbridge Wells  
 Improvt. Commsr. m d  
 Stourton v. Burrell m d  
 Ibbott v. Burrell m d  
 Bloxsome v. Chichester c  
 Bloxsome v. Chichester c  
 Dickenson v. Burrell m d  
 Brandford v. Howard m d  
 Dickenson v. Burrell m d  
 Barrow v. Tyree m d  
 Richardson v. Lancaster and Carlisle Rail. Co. m d  
 Goodyear v. Bruton m d  
 Verelet v. Mid. R. Co. m d  
 Windsor v. Campbell m d  
 Vestry of Parish of Bermondsey v. Brown m d  
 Williams v. Williams, wit (Nov. 7)  
 Adams v. Dudley & West Bromwich Banking Co. c  
 Wycombe Rail. Co. v. Donnington Hospital m d  
 Graham v. Morris m d  
 Schotzman v. Lancashire & Yorkshire Rail. Co. m d  
 Fox v. Willis m d  
 Taylor v. Taylor wit (Nov. 14)  
 Reay v. Woolley wit  
 Evans v. Thomas m d  
 Bostock v. Floyer m d  
 Offen v. Munn c  
 Western v. McDermot c  
 Ward v. Carttar c  
 Hancock v. Reeves m d  
 Ryland v. Richardson m d  
 Wayman v. Marking m d  
 Down v. Ellis m d

Price v. Cheesman wit (Nov. 6)  
 Weller v. Aldridge m d  
 Sidney v. Clarkson m d  
 De Hoghton, Bt. v. Money wit  
 Lee v. Lee c  
 Tregar v. Williams m d  
 Howes v. Poole; Howes v. Poole wit (Nov. 10)  
 Tomlison v. Leigh m d  
 Sharp v. Gibbs m d  
 Hole v. Hole c  
 McDermott v. Seymour c  
 Walker v. Ware, Hadham & Buntingford Rail. Co. m d  
 Lambarde v. South Eastern Rail. Co. m d  
 Dodsworth v. Marshall c  
 Stephens v. Sullivan v v ev (Nov. 8)  
 Montefiore, Bart. v. Behrens m d  
 Freeman v. Bowen m d  
 Fryer v. Davies m d  
 Ludlow v. Bunbury m d  
 Turquand v. Bennett c  
 Jones v. Jones m d  
 Clements v. Welles m d  
 Chapple v. L. C. & D. R. Co. m d  
 Whitelock v. Bennett m d  
 Rowden v. Yeoman m d  
 Peel v. Todd m d  
 Bradley v. Fourness m d  
 Windley v. Foreman m d  
 Adnutt v. Wright sp c  
 Evans v. Jonas m d  
 Armitage v. Coates sp c  
 Lord v. Jeffkins c  
 Burnester v. Moxon m d  
 Cave v. Ellis m d  
 Crawshaw v. Allaway c  
 Reay v. Rawlinson f c  
 Percy v. Percy f c  
 Bonville v. Lewis f c  
 Hampton v. Holman f c  
 Hammond v. Whittle m d  
 Carr v. Levingston m d  
 Fowke v. Briggs c  
 Rose v. Munk m d  
 Tait v. Lathbury m d  
 Chubb v. Griffiths m d  
 Garrad v. Garrad wit  
 Cosens v. Griffis m d  
 Tanner v. Tanner sp c  
 Harrison v. Chapman m d  
 Ellis v. North American Colonial Association of Ireland m d

Curtiss v. Grant f c  
 Laing v. Campbell c  
 Viscountess d'Adhemar v. Bertrand m d  
 Eden v. Mackenzie m d  
 Bonfield v. Grant f c  
 In re Thurk's Estate; Grah v. Thurk f c  
 Wright v. Lowe c  
 Lyster v. Jeppard f c  
 In re Hawke; Hawke v. Hawke f c  
 Wells v. Templeman c  
 Swindler v. Reidy c  
 Straughton v. Tate; Tate v. Straughton f c  
 Richardson v. Goodson f c  
 Lord Lilford v. Keck f c  
 Eyn v. Brett c  
 Ibbotson v. Elam sp c  
 Wilson v. Watchorn m d  
 Harris v. Cuming m d  
 Moss v. Barton m d  
 Griffiths v. Bracewell m d  
 Yeomans v. Addams m d  
 Hennessey v. Bray f c  
 Lovejoy v. Crafter m d  
 Clark v. Wallis m d

Carr v. Lister m d  
 Simmonds v. Cock f c  
 In re Saunders' Estate; Saunders v. Pigott f c  
 In re Hales; Hales v. Cox f c  
 Quinn v. Fowler Butler m d  
 Crane v. Wynn f c  
 Morgan v. Davies f c  
 Jarvis v. Hooper f c  
 Brookes v. Davidson f c  
 Lesingham v. Haggard m d  
 Gee v. Liddell f c & sum  
 Delves v. Strother c  
 Corrigan v. Lea m d  
 Markwell v. Bull; Markwell v. Markwell f c  
 Young v. Steel m d  
 Wright v. Blake c  
 Raphael v. Thame Valley Rail. Co. m d  
 Bracewell v. Griffiths m d  
 Wood v. Joynson m d  
 Miles v. Miles m d  
 Rhodes v. Dethurst c  
 Gore v. Gore m d  
 Davies v. Williams m d  
 The Consol'd. Assurance Co. v. Buckley m d

BEFORE VICE-CHANCELLOR SIR RICHARD T. KINDERSLEY.

*Causes, &c.*  
 Pears v. Dobinson dem  
 Smart v. Hawksworth m d  
 Millard v. Ellyett m d  
 E. Eglington v. Lamb, Bt. m d  
 E. Eglington v. Lamb, Bt. m d  
 M. Downshire v. Smith m d  
 Towns v. Wentworth m d  
 Walsh v. Jupp m d  
 Ransome v. Burgess m d  
 Scott v. Harrison m d  
 Painter v. Ford c  
 E. Shrewsbury v. N. Staffordshire Rail. Co. c  
 Att-Gen. v. Poynder m d  
 Lambe v. Orton (2 causes) f c  
 Coope v. Cresswell m d (Nov. 6)  
 Sandilands v. Gilchrist wit (Nov. 6)  
 Gilchrist v. Sandilands wit (Nov. 6)  
 Wilkinson v. Eykyn m d  
 Johnson v. Hodgson c  
 Butt v. Imperial Gas Light & Coke Co. m d  
 Parsons v. Howkins m d

Martin v. Headon m d  
 Churton v. Frewen m d  
 Jupp v. Nicholas c  
 Bourst v. Stone c  
 Bourst v. Savage c  
 Allison v. Lord m d  
 Poynder v. Hulbert m d  
 Sedgefield v. Sedgefield sp c  
 Gimblet v. Gimblet f c & sum  
 Wakefield v. D. Bucleugh m d  
 Ormerod v. Riley sp c  
 Watt v. Watt f c  
 Hubbard v. Latham f e  
 Courtis v. Watts m d  
 Estate Co. v. Sharpe m d  
 Sweeting v. Sweeting f e  
 Lees v. Whiteley c  
 Hart v. Young c  
 Webb v. Hunt m d  
 Letton v. Goodden m d  
 Dimond v. Edgell m d  
 Hocken v. Battley f e  
 Cooke v. Ricketts m d  
 Brooke v. Harling m d  
 Holmer v. Shew m d

BEFORE VICE-CHANCELLOR SIR JOHN STUART.

*Causes, &c.*  
 Newton v. Hume c  
 Peter v. Jones m d  
 Martin v. L. C. & D. R. Co. m d  
 Harries v. Rees m d  
 May v. Ramsey f c  
 Hume v. Pocock m d  
 Hollings v. Bevan m d  
 Balmforth v. Chambers c  
 Armstrong v. Scruton f c  
 Ramsay v. Sheldene m d  
 Edwards v. Martin m d  
 Ackroyd v. Briggs m d  
 Burd v. Burd f c & sum  
 Brutton v. Jewell m d  
 Roberts v. Roberts c  
 Cookes v. Cookes f c & 2 sums  
 Reeve v. Jones f c  
 Dabbs v. Nugent m d  
 Heath v. Kerrick m d  
 Thomas v. Jenkins c

Laws v. Gibson m d  
 Martin v. Royle m d  
 Alton v. Harrison m d  
 Alexandra Park Co. v. Wood m d  
 Bateman v. Holmes m d  
 Lee v. Pullen c  
 Lovett v. Hankins m d  
 Wood v. Barker c  
 St. Paul v. Heath m d  
 Duly v. Nalder m d  
 Hutchinson v. Hastie c  
 Shepherdson v. Dale f c  
 Greenberg v. Lambert c  
 Sears v. Hatswell c  
 Homan v. Davis m d  
 Eaton v. France c  
 Lethbridge v. Lethbridge, Bt. m d  
 Thorpe v. Mattinson f c  
 Cutler v. Cutler m d  
 Dowling v. Dowling f c

Gabriel v. Purdue f c  
 Williams v. Neath & Brecon Rail. Co. m d  
 Forbes v. Preston c  
 Ferland v. Townend m d  
 Burdon v. Barkus m d  
 Wareing v. Buckley f c  
 Sullivan v. Terrell c  
 Ensley v. Ensley f c  
 Graham v. Idle m d  
 Bradfield v. Balls m d  
 Phillips v. Jones m d  
 Elwes v. Barnard c  
 Hill v. Challinor m d  
 Grant v. Norris f c  
 Wells v. Simmonett m d

Jones v. Dixon f c & 2 sum  
 Day v. Day f c  
 Brown v. Thompson; Brown v. Dewick f c  
 Brown v. Dewick f c  
 Kent v. Birchley f c  
 Hayward v. Kersey c  
 Lyster v. Benett m d  
 Jenkinson v. Jenkinson m d  
 Smith v. Maxfield f c  
 Pettitt v. L. B. & S. C. Rail. Co. m d  
 Swain v. Fulford m d  
 Cooper v. Wells f c  
 Peart v. Fenwick m d

BEFORE VICE-CHANCELLOR SIR WILLIAM PAGE WOOD.

*Causes, &c.*  
 Betts v. Rimmell excons  
 Hindly v. Emery m d  
 Gray v. Batt m d  
 Hopwood v. Earnest f c  
 Stables v. Powell f c  
 Beard v. Turner m d  
 Williams v. Osborne m d  
 Wedderburne v. Thomas p c  
 Forbes v. Mackenzie c  
 Featherstonhaugh v. Lee Moor Porcelain Co. m d  
 Savin v. Oswestry and Newtown Rail. Co. m d  
 Tate v. Williamson m d  
 Duke of Portland v. Hill m d  
 Wyld v. Parker m d  
 Cade v. Wheateroff m d  
 May v. May m d  
 Miles v. Miles, Bt. m d  
 Davenport v. Rylands m d  
 Darell v. Willis c  
 Lucas v. Jones m d  
 Stormont v. Thickens m d  
 Stanier v. Evans m d  
 Reading v. Atkins m d  
 Knox v. Gye m d  
 Roberts v. Pollard; Turner v. Wilson f c & sum (Nov. 20)  
 Hallworth v. Frost c  
 Hill v. Curtis wit (Nov. 8)  
 Ledward v. Mersey Docks and Harbour Board m d  
 Campbell v. Campbell m d  
 Cocks v. Cocks m d  
 Birt v. Gainey m d  
 Hinde v. Morton c  
 Jenner v. Jenner m d  
 Buckham v. Buckham c  
 E. De la War v. Lord Cavendish m d  
 Millard v. Bailey m d  
 Ainsworth v. Walsley m d  
 E. Stamford v. Dawson m d  
 Woods v. Lamb m d  
 Ewen v. Candler m d  
 Caulfield v. Caulfield m d  
 Alliance Bank v. Motion m d  
 Pennell v. Davison m d  
 Davies v. Tatham m d  
 Steele v. Stuart m d  
 Martin v. Martin sp c  
 Tetley v. Brown c  
 White v. Chitty m d  
 Lewer v. E. Shaftesbury c  
 Kelsey v. Fowler c  
 Dear v. Webster m d  
 Denham v. Cox m d  
 Walker v. Brettell m d  
 Watkins v. Neath & Brecon Rail. Co. m d  
 Goode v. Winkles jury  
 Richardson v. Stones m d

Smith v. Owen m d  
 Hensley v. Wills m d  
 Sturges v. Sturges m d  
 Turner v. Elkins sp c  
 Singleton v. Selwyn c (Nov. 20)  
 Wiltshire v. Marshall c  
 Trinder v. Trinder m d  
 Daw v. Eley m d (Nov. 6)  
 Tyrer v. Llewellyn m d  
 Hollamby v. Oldrieve c  
 Moore v. Harper m d  
 Harris v. Glynn f c  
 Graham v. Parsons f c  
 Cartledge v. Radbourne m d  
 D. Bedford v. Nene Navigation Comm (Nov. 20)  
 Gaskin v. Rogers f c  
 Bowyer v. Woodman f c  
 Walter v. Platt m d  
 Wickham v. Webster m d  
 Middle Level Comms v. The Comms Nene Wash Lands m d  
 Clarke v. Cock m d  
 Sparrow v. Ewing c  
 Romans v. Mitchell m d  
 Binns v. Nichols f c & sum  
 Salvin v. Weston m d  
 Fuller v. Chamaire rehearing  
 Beever v. Tuck. c  
 Ord v. Ord m d  
 Darby v. Swanson Harbour Trustees m d  
 Mendham v. Williams f c  
 Farren v. Mould f c  
 Hansom v. Pugin m d  
 In re Gibson; Matthews v. Foulsham f c  
 Shernan v. Horrell f c  
 Abraham v. Pearse m d  
 Worship v. Clarke m d  
 Wedderburne v. Thomas e  
 Levitt v. Levitt f e  
 Harbin v. Masterman m d  
 Drake v. Boxill e  
 Howath v. Mills f c  
 Fleetwood, Bt. v. Forshaw m d  
 French v. Burden f c  
 Tipping v. St. Helen's Smelting Co. m d  
 Bazalgette v. Gregory m d  
 Mackenzie v. Forbes c  
 Wickham v. Scarfe c  
 McKewan v. Dawes m d  
 Morley v. Mendham m d  
 Barnes v. Jennings f c  
 Rodgers v. Kohn c  
 Martin v. Martin sp c  
 Forbes v. Steven c  
 Lambert v. Rendle f c  
 Jeffreys v. Agra and Masterman's Bank m d  
 Tangye v. Stott m d  
 Hick v. Hick f c

## PUBLIC COMPANIES.

## ENGLISH FUNDS AND RAILWAY STOCK.

LAST QUOTATION, November 2, 1865.

[From the Official List of the actual business transacted.]

## GOVERNMENT FUNDS.

3 per Cent. Consols, 89	Annuities, April, '85, 13 $\frac{1}{2}$
Ditto for Account, Oct. 10—89	Do. (Red Sea T.) Aug. 1908— £1000, 3 per cent.
3 per Cent. Reduced, 87 $\frac{1}{2}$	£500, Do, 6 dis
New 3 per Cent., 87 $\frac{1}{2}$	£100 & £200, Do, dis
Do, 3 $\frac{1}{2}$ per Cent., Jan. '94—	Bank of England Stock, 5 $\frac{1}{2}$ per
Do, 2 $\frac{1}{2}$ per Cent., Jan. '94—	Ct. (last half-year)
Do, 5 per Cent., Jan. '73—	Ditto for Account, —
Annuities, Jan. '80—	

## INDIAN GOVERNMENT SECURITIES.

India Stock, 10 $\frac{1}{2}$ p. Ct. Apr. '74 —	Ind. Enf. P., 4 p. Ct. Jan. '72, —
Ditto for Account, —	Ditto, 5 $\frac{1}{2}$ per Cent., May, '79, —
Ditto 5 per Cent., July, '76, 10 $\frac{1}{2}$	Ditto Debentures, per Cent.,
Ditto for Account, —	April, '64 —
Ditto 4 per Cent., Oct., '88 —	Do., 5 per Cent., Aug., '66, —
Ditto, ditto, Certificates, —	Do., Bonds, 4 per Ct., £1000, —
Ditto Enfaced Ppr., 4 per Cent. 87 $\frac{1}{2}$	Ditto, ditto, under £1000, 23 pm.

## RAILWAY STOCK.

Shares	Railways.	Paid.	Closing Prices.
Stock	Bristol and Exeter .....	100	94
Stock	Caledonian .....	100	129
Stock	Glasgow and South-Western .....	100	111
Stock	Great Eastern Ordinary Stock .....	100	47
Stock	Do., East Anglian Stock, No. 2 .....	100	8
Stock	Great Northern .....	100	131
Stock	Do., A Stock* .....	100	149
Stock	Great Southern and Western of Ireland .....	100	92
Stock	Great Western—Original .....	100	64
Stock	Do., West Midland—Oxford .....	100	45
Stock	Do., do.—Newport .....	100	39
Stock	Do., do.—Hereford .....	100	106
Stock	Lancashire and Yorkshire .....	100	123
Stock	London and Blackwall .....	100	91
Stock	London, Brighton, and South Coast .....	100	106
Stock	London, Chatham, and Dover .....	100	39
Stock	London and North-Western .....	100	125
Stock	London and South-Western .....	100	97
Stock	Manchester, Sheffield, and Lincoln .....	100	58 $\frac{1}{2}$
Stock	Metropolitan .....	100	138
10	Do., New .....	£4.10	38 pm
Stock	Midland .....	100	126 $\frac{1}{2}$
Stock	Do., Birmingham and Derby .....	100	97
Stock	North British .....	100	62
Stock	North London .....	100	121
10	Do., 1864 .....	5	63 pm
Stock	North Staffordshire .....	100	76
Stock	Scottish Central .....	100	152
Stock	South Devon .....	100	59
Stock	South-Eastern .....	100	80 $\frac{1}{2}$
Stock	Taff Vale .....	100	151
10	Do., C .....	3	4 pm
Stock	Vale of Neath .....	100	105
Stock	West Cornwall .....	100	52

\* A receives no dividend until 6 per cent. has been paid to B.

## MONEY MARKET AND CITY INTELLIGENCE.

The extreme monetary tightness felt in the autumn of last year, together with the high rates of interest demanded, and readily paid, at the present time, have led theorists into curious generalizations, tending to show that it is the harvest and the disbursements and speculations consequent thereon that lead to the monetary straits supposed to be coincident with the autumnal period of the year. Now, in the first place, our agricultural trade and statistics bear too inconsiderable a proportion to the value of our entire exports and imports, to be able so to disturb the general financial prospects of the nation. In the next place, although, indeed, a financial crisis has often been caused by the export of gold to pay for the unusual quantities of corn required to be imported upon failure of the home crops (as was the case in 1847), yet, as a general rule, there is no appreciable connection between the harvest period of the year and a monetary tightness or panic. These coincidences are, except to a very slight extent, if even so far, altogether accidental, and have no mutual affinities whatever.

*Nulum simile quatuor pedibus currit* is a maxim that ought to have much value in political economy as well as in law. The monetary crisis of last year was of a wholly different nature from the pressure that prevails now. This time last year the American war was still raging, trade was deranged, and joint-stock bubbles reached their zenith. The sinking of so much capital in joint-stock speculation appears to us to be the chief cause of the scarcity of capital in the loan market this time last year, coupled with the anomalous state of the American trade. This year the American trade is revived, and has already made itself felt in the immense increase of the quantities of our exports, and in the diminution of their cost. The total value of our shipments during last September exceeded by one-fifth those of the corresponding month of the last two years. But owing to the diminution in the prime cost of cotton, the quantities of manufactures exported are not merely one-fifth, but about 80 per

cent. in most departments, greater than the quantities exported in the September of the two preceding years.

The seven per cent. rate of discount, now prevalent, is thus coincident with a prosperous state of trade, and is the effect of that prosperity, and not, as was the case last year, of excessive speculation, and well-grounded alarm. The high rate of discount now charged, and obtained, indicates merely a high rate of profit, and people can, of course, afford to pay dearly for money when they can invest it to great advantage. Indeed, joint-stock, especially "limited," bubbles still "strut and fret their hour" upon Change before falling into the arms of the official liquidator, the complexion to which most of them seem destined to come at last. And these speculations also, doubtless, tend to keep up the rate of interest. But as trade is now resuming its wonted channels, we may expect the gradual disappearance of many of these fungous excrescencies of a morbid desire of speculation.

Those who do not find in the existing high rate of interest any indication of prosperity, charge the supposed calamity upon the Bank Act of 1844. This is most ignorant and absurd. The Act of 1844, has no influence whatever on the rate of interest, and merely applies to the Bank of England as a bank of issue, and not as a bank of discount, in which capacity alone it can control the rate of interest. That Act is the great conservator of our circulation, and makes the currency ebb and flow precisely as if it were metallic. The soundness of that measure is shown even to-day, by the fact that while the rate of interest is so high, and does not appear likely to be much lower for some time, yet gold is about one-tenth per cent. dearer in Paris than in London, notwithstanding the vaunted policy of the system on which the Bank of France is conducted. Gold is, indeed, about one-tenth per cent. dearer in London than at Hamburg. But these differences show a fair average state of our currency. Neither is there any profit from importing gold from the United States. This latter fact, while it corroborates our views as to the state of the currency, also shows that the Americans are seriously intent on restoring their currency to a metallic standard.

In conclusion, the present high rate of interest is no real cause of alarm, but the contrary, as it indicates merely the opening of markets that had been closed to us, the consequent increase of general profits, and a proportionate demand for money, in order to invest it in these lucrative enterprises. We may add that a high rate of interest, especially when the result of sound trading and high profits, tends to divert capital from land to trade, and hence we may expect some decline in the demand for land while the attractions of foreign trade continue to enjoy their present brilliancy.

## THE COMMITTEE OF THE STOCK EXCHANGE.

Amongst the relics of the old world, which are utterly unfit for any good purpose in the world of to-day, must be reckoned the Committee of the Stock Exchange. Whatever merits it may have had in its time, it has outlived them, and any services it may have rendered to commercial men in the infancy of speculation are more than obliterated by the infinite mischief of which it is now the daily occasion. For all good purposes it has become useless. If in times past it was able to examine into the merits of new companies, to apply some test to the *bona fides* of their projectors, and to see that they complied with certain salutary rules before they were launched into commercial being with the sanction of the Committee, it is evident that the pace of speculation has far outstripped its vigilance, and that any guarantee it gives, or is supposed to give, of the soundness of any enterprise, is illusory. Who will suppose that the members of this Committee, stock-brokers and dealers themselves, with business and interests of their own to occupy their time and attention, can make any investigation into a tenth part of the new companies seeking public support, which shall be in the least reliable? Is it not more probable that, being speculators themselves, they will make use of their powers to promote their own interests or that of their friends? Their position is one calculated to lay them open to suspicion; and it may be in part owing to this that there is such wide-spread and deep dissatisfaction with their decisions.

Nor can this be wondered at. The Committee are said to be capricious in their mode of granting settlements to new undertakings. The imputation is perfectly correct. In more than one instance companies have been refused a settlement on the ground that there was a discrepancy between the prospectus and the articles of association, though, in truth, there was no such discrepancy. In more than one instance companies have been allowed a settlement which have very shortly afterwards come to grief, and could not, in the nature of things, have come to anything else. Take, for instance, the recent case of Smith, Knight, & Co. (Limited). This undertaking obtained a settlement and a quotation on the daily list for its shares, which for some time stood at 3 to 4 premium. Almost any competent civil engineer or contractor could, at the time of its formation, have foretold failure. Yet this company received the flat of the Committee, which, by its approval of the enterprise, induced many persons to embark in it who certainly would not have done so had they been properly advised. Here, then, are two samples of the way in which the Committee exercises its powers. It has done those things which it ought not to have done, and has left undone those which ought to have done. It has given settlements

to companies which did not deserve them, and has withheld them from companies which did. We should be sorry to impute to the members of the committee an improper use of their powers; but if, by the very nature of those powers, they are liable to be suspected of unfairness, that is not a position which they ought any longer to hold. It is believed that in instances in which settlements have been refused, members of the Stock Exchange had made extensive bargains in the shares of the companies before a settlement was applied for, and that if one had been granted they would have sustained serious loss. The settlement would have bound them to fulfil their bargains, which, on the contrary, ceased to be obligatory the moment a settlement was refused. The committee holds in its hands the power of binding and loosing; of making bargains obligatory or of annulling them. It ought not to be possible for any one even to suspect that the committee exercises that power upon the principle that where it can enrich the members of the Stock Exchange by riveting their bonds it rivets them, and that where it can save them from loss by the opposite course it sets them free.

So unsatisfactory a state of things cannot be suffered to go on. It is intolerable that, at a time when there is so much enterprise, it should be in the power of any body of men to refuse a settlement to new companies for capricious reasons; nor is it for the public benefit that a guarantee of the good faith and soundness of a company, even though it is only an apparent guarantee, should be given by such a body as the Committee of the Stock Exchange. The committee may properly insist that no company shall be allowed a settlement and receive the benefit of quotation on its lists, which has not complied with certain regulations, of a fixed, clear, and distinct character, about the compliances or non-compliance with which there can be no doubt or cavil—leaving the public to take care of themselves. But anything like the discretionary power it now claims and exercises is inconvenient and impolitic, and certainly most unsatisfactory to the public.—*London Review.*

**THE LAW OF LIBEL.**—The duties of a journalist are so various, and the topics to which public attention is to be directed must be discussed with so little delay, that speculative actions ought to be emphatically discouraged when the result would be to impair or impede the honest and free exercise of the arduous functions belonging to the press. Lord Ellenborough, who was no advocate of any undue licence, on more than one occasion denounced the practice of taking any available pretext to harrass society by the bringing of actions for libel, and, now that there are so many lawyers returned to Parliament, some step ought to be taken to remove the premium offered in the way of costs to those who will bring actions for libel, tempted by the premium offered of being secured in the costs, even though the damages should be merely nominal. In reference to the case of *Travers v. Potts*, the apposite and forcible language of Judge Berwick is peculiarly deserving of attention:—“I have, therefore, I conceive, abundant grounds for believing that the action was not *bona fide* for the legitimate object of protecting her character but that the opportunity was snatched at for other and not legitimate ends. I conceive that a party who institutes an action without the means of paying costs, if unsuccessful, should be prepared to show to this Court, when seeking a discharge from the cost, that the proceeding was perfectly *bona fide*, instituted for a fair and honest purpose, and without any sinister or malicious object. I do not think the action brought in this case of that character. I think it was as unfair as it proved to be unfounded.”—*Saunders' News Letter.*

**MARY RYAN'S CASE.**—We are informed that Mary Ryan, whose removal from this country, *via* Dover, caused some excitement a few months since,\* has returned from Bruges restored to health, and is now living in her convent in London.—*South-Eastern Gazette.*

[ADVERTISEMENT.]—We are requested by Messrs. J. & C. ROGERS, Solicitors, to notify that, in consequence of their present premises in Manchester-buildings being required for the purposes of the Metropolitan District Railway, their Offices are REMOVED to No. 7, Westminster-chambers, Victoria-street, Westminster.

#### ESTATE EXCHANGE REPORT.

##### AT THE GUILDFHALL HOTEL.

Oct. 27.—By Mr. TOOTELL.

Freehold estate, 344 acres in extent, situate at Chart Hill, in the parishes of Chart Sutton and Bognorth Monchelsea, Kent, with residence, farm buildings, house, cottages, &c.—Sold for £22,000.

Oct. 31.—By Messrs. DANIEL SMITH, SON, & OAKLEY.

Freehold estate, known as Rochetts, containing 240 acres, situate in the parish of South Weald, Essex.—Sold for £28,000.

Freehold residence, known as Beech Hurst, with stabling, and about 11 acres of pasture land, situate in the parish of Cuckfield, Sussex.—Sold for £5,100.

##### AT GARRAWAYS.

Oct. 31.—By Messrs. HUSHWORTH, JARVIS, & ABBOTT.

Freehold residence, known as Broomfield, with stabling, offices, grounds, and about 54 acres of meadow land, situate in Great Stanmore, Middlesex.—Sold for £4,700.

\* 9 Sol. Jour. 162.

##### BY MESSRS. GLASIER & SONS.

Freehold ground-rents, amounting to £14 per annum, secured upon 6 houses in Union-road, Battersea.—Sold for £305.

Leasehold business premises, being Nos. 16 and 17, Northumberland-street, Strand, producing £401 per annum; term, 9 years unexpired, at £120 per annum—Sold for £1,175.

##### AT THE LONDON TAVERN.

Oct. 27.—By MESSRS. GADSDEN, ELLIS, & SCORER.

Freehold residence, stabling, and grounds of about 3½ acres, situate at Bletchingley, Surrey.—Sold for £1,800.

Oct. 31.—By MESSRS. NORTON & TRIST.

Freehold, about 60 acres of marsh land, situate at Romney Marsh, Kent.—Sold for £6,035.

#### BIRTHS, MARRIAGES, AND DEATHS.

##### BIRTHS.

JOHNSON.—On Oct. 26, at Whitton Park, the wife of E. Johnson, Esq., Solicitor, of a son.

PEACOCK.—On Oct. 27, at Kentish-town-road, N.W., the wife of T. F. Peacock, Esq., Solicitor, of a daughter.

PIFFARD.—On Oct. 17, at Blandford-square, the wife of C. Piffard, Esq., Barrister-at-Law, of a son.

##### MARRIAGES.

HUME—HARRIS.—On Oct. 23, at St. John's Church, Kingston-vale, H. Hume, Esq., eldest son of the late J. Hume, Esq., Sen., Magistrate of Calcutta, to Bessie, daughter of the late Rev. J. Harris, Wellington.

JOHNSON—WEBSTER.—On Oct. 24, at Christchurch, Cheltenham, H. C. R. Johnson, Esq., Barrister-at-Law, to Jessie E., daughter of the late James Webster, Esq., Cheltenham.

##### DEATHS.

CROMPTON.—On Oct. 30, at Hyde-park-square, Mr. Justice Crompton, aged 68.

TYMMS.—On Oct. 30, at South Croydon, Mr. J. Tymms, Clerk to Messrs. Boys & Tweedie, Ely-place, aged 58.

#### UNCLAIMED STOCK IN THE BANK OF ENGLAND.

*The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:*

HYDE, HENRY, Ely-place, Holborn, Esq., and FRANCIS CHILD, Cannon-street, Esq., deceased, £488 8s. Consolidated £3 per Cent. Annuities—Claimed by said H. Hyde, the survivor.

SUTHERLAND, HUGH, Gray's-walk, Lambeth, Esq., £40 Consolidated Long Annuities—Claimed by F. B. Birkett and E. L. Birkett, surviving executors.

#### LONDON GAZETTES.

##### Winding-up of Joint Stock Companies.

FRIDAY, Oct. 27, 1865.

##### LIMITED IN CHANCERY.

Nova Scotia Land and Gold Crushing and Amalgamating Company (Limited).—Petition for winding-up, presented Oct. 12, directed to be heard before the Master of the Rolls on Nov. 4. Treherne & Wolferstan, 75, Aldermanbury, solicitors for the petitioner.

TUESDAY, Oct. 31, 1865.

##### UNLIMITED IN CHANCERY.

Second Saint Peter's Fifty Pounds Money Company.—Petition for winding-up, presented Oct. 30, directed to be heard before the Master of the Rolls, on Saturday, Nov. 11. Clarke & Co., Lincoln's-inn-fields, agents for Brooks & Co, Manch, solicitors for the petitioner.

##### Friendly Societies Dissolved.

FRIDAY, Oct. 27, 1865.

Brighton Tootallers Friendly Benefit Society, Temperance Hall, Brighton. Oct. 15.

Smethwick Friendly Union Society, Anchor-inn, Rolfe-street, Smethwick, Stafford. Sept. 6.

TUESDAY, Oct. 31, 1865.

Tradesmen's Fraternal Union Friendly Society, Crown Inn, Alton, Southampton. Oct. 16.

##### Creditors under 22 & 23 Vict. cap. 35.

*Last Day of Claim.*

FRIDAY, Oct. 27, 1865.

Chadwick, Ann, Upholland, Lancaster, Widow. Dec 20. Lee & Son Wigton.

Gibbs, Sarah Ann, Lansdowne-villas, Lansdowne-rd, South Lambeth, Spinner. Dec 11. James, Essex-st, Strand.

Gibbs, Robt Wm, Lansdowne-villas, Lansdowne-rd, South Lambeth, Gent. Dec 11. James, Essex-st, Strand.

Fitzpatrick, Fras, Upper Lissom-street, Paddington, Surgeon. Dec 1. Lovell & Co, South-sq, Gray's-inn.

Forshall, Rev Josiah, Woburn-pl, Clerk. Nov 27. Smith, Warnford, et, Throgmorton-st.

Jacobson, John, Glasson-dock, Lancaster, Master Mariner. Dec 1. Sharp, Lancaster.

Johnson, Wm, Leeds, Basket Maker. Nov 28. Markland & Davy, Leeds.

Lloyd, John, Cardiff, Gent. Nov 30. Lnard & Sherley, Cardiff.

Patient, Thos, Saffron Walden, Essex, Cooper. Dec 2. Collin, Saffron Walden.

Normansell, Thos, Smethwick, Stafford, Boat Owner. Nov 20. Griffith & Buxton, Birr.

Reed, Nathaniel, Lifton, Devon. Feb 1. White & Dingley, Launceston.

\* 9 Sol. Jour. 162.

Reed, Wm, Kensington, Middx, Esq. Dec 30. Bircham & Co, Parliament-st, Westminster.  
 Robinson, Wm, Upper-st, Islington, Dealer in Paper Hangings. Dec 16. Stanton, Margaret-st, Cavendish-sq.  
 Snell, Wm, Kelland, Sandford, Devon. Dec 1. Tanner & Co, Cre-ditton.  
 Story, Hy, Newcastle-upon-Tyne, Attorney. Nov 11. Bousfield, Newcastle-upon-Tyne.  
 Stow, Wm, Farnborough, Kent, Surveyor. Dec 26. Deacon & Co, Pauls-treathouse-court, Doctor's-commons.  
 Wilson, Mary, Whitehaven, Cumberland, Spinster. Nov. 30. Webster, Whitehaven.  
 Young, John, Easdon, Northumberland, Farmer. Nov 20. W. & B. Woodman, Morpeth.

TUESDAY, Oct. 31, 1865.

Austen, Sir Fras Wm, Corsham, Southampton, Admiral. Jan 31. Burrell, Gosport.  
 Burrell, Wm, Harrison, Hardings-st, Northampton, Ironfounder. Dec 9.  
 Beighton, Wm, Sherwood, Nottingham, Gent. Dec 24. Watson & Wadsworth, Nottingham.  
 Belcher, Wm, Stevenon, Berks, Farmer. Dec 1. Ormond, Wantage.  
 Bromley, Ann, Conduff, Salop, Widow. Jan 1. Wace, Shrewsbury.  
 Cottrell, Edwd, Chichester, Sussex, Painter. Dec 1. Johnson & Raper, Chichester.  
 Godson, Ann, Croydon, Surrey, Spinster. Nov 30. Shacklock, Carlton-upon-Trent.  
 Goodman, Sarah, March, Cambridge, Widow. Dec 1. Wise & Daw-barn, March.  
 Guildford, Ann, Nottingham, Spinster. Dec 31. Shacklock, Carlton-upon-Trent.  
 Hooper, Hy Morgan, Gloucester, Timber Merchant. Dec 28. Abell & Coleman, Gloucester.  
 Horton, Sarah, Redmarley, Great Witney, Worcester, Widow. Dec 15. Corles, Worcester.  
 Jackson, Moses, Hinstock, Salop, Yeoman. Nov 30. Smallwood, Newport.  
 Mackie, John, Ironmonger-lane, Cheapside, Hotel Proprietor. Dec 31. Wild & Barber, Ironmonger-lane.  
 Milns, Richd, Calverton, Nottingham, Gent. Nov 30. Shacklock, Carlton-upon-Trent.  
 Moss, Wm, Little Guildford-st, Southwark, Dyer. Dec 1. Robinson & Hine Haycock, Charterhouse-sq.  
 Pepin, Philip, Grouville, Jersey, Master Mariner. Nov 30. Philip Pepin, Wimbleton Hotel, Grouville, Jersey.  
 Pope, Wm, Brighton, Sussex, Licensed Victualler. Dec 16. Faithful & Co, Brighton.  
 Stopford, Hon Sir Montagu, Old Charlton, Kent, Admiral. Jan 1. Lambert, Bedford-row.  
 Whithorn, Susannah, Gloucester, Widow. Dec 23. Williams & Brydges, Cheltenham.  
 Williams, Thos, Swansea, Glamorgan, M.D. Dec 2. Essery, Swansea.  
 Wilson, Geo, Regent's-pk, Tea Dealer. Dec 12. Rogers & Son, Victoria-st.  
 Wray, Martha, Leckhampton, Gloucester, Widow. Dec 23. Williams & Brydges, Cheltenham.  
 Wright, Joseph Bamforth, Newcastle-upon-Tyne, Glass Manufactur-er. Feb 2. Inglewood & Daggert, Newcastle-upon-Tyne.

## Assignments for Benefit of Creditors.

FRIDAY, Oct. 27, 1865.

Broadhead, David, Almonbury, York, Woollen Cloth Manufacturer. Oct 15. Hesp & Owen, Huddersfield.  
 Verey, Joseph, & Jas Horne, Bath-st, Wholesale Stationers. Oct 12. Holmes, Poultry, and Lawrence & Co, Old Jewry-chambers.

TUESDAY, Oct 31 1865.

Feather, John, Keighley, York, Worsted Spinner. Oct 23. North & Son, Leeds, Watson, Bradford.

## Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, Oct. 27, 1865.

Adshead, Saml, Manch, Joiner. Oct 3. Conv. Reg Oct 25.  
 Bainbridge, Wm Rawling, Chester, Boot and Shoe Manufacturer. Sept 29. Comp. Reg Oct 23.  
 Bailey, Chas Fredk, Burslem, Stafford, Boot and Shoe Maker. Oct 20. Asst. Reg Oct 27.  
 Baylis, Thos Hutchinson, Lombard-st, Gent. Oct 17. Comp. Reg Oct 26.  
 Booth, Hallifield, Lincoln, Butcher. Oct 9. Asst. Reg Oct 27.  
 Bourne, Jas Makeman, & Wm James, Edgwdrd-rd, Woollen Ware-housmen. Sept 29. Asst. Reg Oct 27.  
 Cockeram, Fras, Findern, Derby, Publican. Oct 16. Asst. Reg Oct 26.  
 Cotter, Jas, Princess Risborough, Buckingham, Fellmonger. Oct 4. Comp. Reg Oct 26.  
 Cowper, Jas, Newcastle-upon-Tyne, Draper. Sept 29. Asst. Reg Oct 25.  
 Dillon, Thos, Lpool, Boot and Shoe Manufacturer. Oct 2. Asst. Reg Oct 25.  
 Eastick, Thos, High-st, Camberwell, Saddler. Oct 2. Conv. Reg Oct 27.  
 Fisher, Chas Fras, Ventnor, Isle of Wight, Gent. Sept 27. Conv. Reg Oct 25.  
 Fox, John, Whissons-ct, Norfolk, Wheelwright. Oct 7. Conv. Reg Oct 25.  
 Gibney, Jas, Nottingham, Currier. Oct 17. Comp. Reg Oct 26.  
 Gibson, Wm, Sheffield, York, Joiner. Oct 5. Comp. Reg Oct 26.  
 Glasgow, John, Manch, Bolt and Rivet Manufacturer. Sept 28. Conv. Reg Oct 24.  
 Hayward, Wm, Dudley, Worcester, Huckerster. Sept 29. Comp. Reg Oct 24.  
 Hitchcock, John, Hove, Sussex, Riding Master. Oct 3. Conv. Reg Oct 24.  
 Hutchinson, Wm, Salford, Lancaster, Engineer. Oct 16. Asst. Reg Oct 27.

Jennings, Wm John, Canterbury, Kent, Butcher. Oct 17. Conv. Reg Oct 25.  
 Jones, John, Hulme, Lancaster, Joiner. Oct 11. Comp. Reg Oct 25.  
 Jones, Thos, Wolverhampton, Stafford, Builder. Oct 13. Comp. Reg Oct 25.  
 Kay, Alice, Rochdale, Lancaster, Greengrocer. Oct 23. Comp. Reg Oct 26.  
 Langley, Wm, Finedon, Northampton, Shoe Manufacturer. Oct 2. Comp. Reg Oct 25.  
 Measor, Walter Benge Mitchelson, Oakley-sq, Middx, Clerk in Her Majesty's Customs. Oct 9. Asst. Reg Oct 25.  
 Morris, Edwd Hy, Ipswich, Suffolk, Jeweller. Sept 30. Comp. Reg Oct 25.  
 Moss, Edmund, Manch, Machine Broker. Oct 2. Assurance. Reg Oct 27.  
 Nash, Jas, jun, New Brentford, Middx, Marine Store Dealer. Sept 27. Comp. Reg Oct 25.  
 Patterson, Wm, Bradford, York, Provision Dealer. Oct 2. Conv. Reg Oct 26.  
 Price, Danl, Cradley Heath, Stafford, Grocer. Oct 4. Asst. Reg Oct 25.  
 Pursell, Joseph, Oxford-st, Butcher. Sept 26. Asst. Reg Oct 23.  
 Rimmer, Jas, Southport, Lancaster, Coal Dealer. Sept 30. Comp. Reg Oct 26.  
 Sloane, John Joseph, Hertford, Grocer. Oct 13. Comp. Reg Oct 26.  
 Springfield, Geo, Wapping Wall, Middx, Boiler Fluid Manufacturer. Sept 30. Comp. Reg Oct 26.  
 Taylor, Edwd, Hyson Green, Nottingham, Plumber. Sept 28. Conv. Reg Oct 25.  
 Tring, Hy, Bridport-place, Hoxton, Cap Manufacturer. Oct 20. Comp. Reg Oct 24.  
 Walker, Thos, Huddersfield, York, Joiner. Sept 29. Conv. Reg Oct 25.  
 Walker, Sophia, Charterhouse-sq, Bookseller. Sept 29. Conv. Reg Oct 26.

TUESDAY, Oct. 31, 1865.

Barringer, Wm, & Joseph Pitts, Toddington, Bedford, Drapers. Sept 29. Asst. Reg Oct 27.  
 Barton, John, Macclesfield, Chester, Grocer. Oct 4. Asst. Reg Oct 28.  
 Bland, Robt, Southport, Lancaster, Grocer. Oct 11. Asst. Reg Oct 28.  
 Cole, Saml, Plymouth, Devon, Painter. Oct 4. Conv. Reg Oct 28.  
 Dangerfield, Joseph, Bilston, Stafford, Grocer. Oct 4. Comp. Reg Oct 30.  
 Dew, Amelia, Abergavenny, Monmouth, Widow, Victualler. Oct 2. Comp. Reg Oct 30.  
 Ennals, Chas, Spital-street, Mile End New Town, Packing Case Maker. Sept 20. Comp. Reg Oct 31.  
 Hall, Edw Reader, Leeds, Boot Manufacturer. Oct 21. Comp. Reg Oct 28.  
 Hanshaw, Margaret, Gray's-inn-rd, Draper. Oct 21. Comp. Reg Oct 27.  
 Hanrott, Howard Augustus, Bedford-row, Gent. Oct 30. Comp. Reg Oct 31.  
 Harrison, Jas Edw, Aston New Town, Birm, Weavers Mail and Staple Manufacturer. Oct 17. Conv. Reg Oct 23.  
 Hargreaves, Luke, Colne, Lancaster, & Jas Moorhouse, Cotton Manufacturers. Oct 26. Asst. Reg Oct 30.  
 Johnson, John, Astley-bridge, Bolton, Lancaster, Comm Agent. Oct 18. Comp. Reg Oct 30.  
 Jones, John, Elmore-st, Islington, Comm Agent. Oct 28. Comp. Reg Oct 30.  
 Keene, Chas, Oxford-st, Stationer. Oct 28. Comp. Reg Oct 31.  
 Kennedy, John, Lpool, Master Porter. Oct 2. Comp. Reg Oct 27.  
 Larkin, Geo, Sevenoaks, Kent, Grocer. Oct 9. Asst. Reg Oct 28.  
 Morley, Edwd, Derby, Wheelwright. Oct 2. Conv. Reg Oct 23.  
 Nolan, John, Lpool, Boot Maker. Oct 25. Comp. Reg Oct 31.  
 Palmer, Wm Hy, Old-st, St Luke's, Varnish Manufacturer. Oct 21. Comp. Reg Oct 30.  
 Porter, John, Hutton, Somerset, Builder. Oct 20. Conv. Reg Oct 28.  
 Richardson, Alfred, Thornhill, York, Dyer. Oct 4. Conv. Reg Oct 28.  
 Robinson, Saml, Bannister-st, St Luke's, Mason. Oct 19. Asst. Reg Oct 27.  
 Roles, Richd, Wareham, Dorset, Boot Maker. Oct 1. Comp. Reg Oct 27.  
 Rutledge, Bruseliah Augustus, Camberwell New-rd, Grocer. Sept 29. Conv. Reg Oct 26.  
 Smith, Robt, & Jas Smith, Manch, Timber Merchants. Oct 20. Comp. Reg Oct 30.  
 Thompson, Jas, Newcastle-upon-Tyne, Butcher. Oct 14. Conv. Reg Oct 30.  
 Toone, Edwd, Runcorn, Cheshire, Grocer. Oct 2. Comp. Reg Oct 28.  
 Wallace, Joseph, Newcastle-upon-Tyne, Milliner. Oct 6. Arr. Reg Oct 28.  
 Warmington, Chas, Merton, Surrey, Builder. Oct 16. Comp. Reg Oct 28.  
 Waters, Geo Wm Stewart, Lpool, Ironmonger. Oct 12. Conv. Reg Oct 28.  
 Wells, John, jun, Newport Pagnell, Bucks, Ironmonger. Oct 17. Comp. Reg Oct 30.

## Bankrupts.

FRIDAY, Oct. 27, 1865.

To Surrender in London.

Alleson, Humphry, Homerston, Middx, Cattle Dealer. Pet Oct 23. Nov 14 at 11. Wright, Chancery-lane.  
 Bone, Alfred, Grange-rd, Bermondsey, Plumber. Pet Oct 24. Nov 14 at 11. Hall, Coleman-st.  
 Borett, John, Battersea, Surrey, Beer Retailer. Pet Oct 23. Nov 9 at 11. Davies, Baring-st, New North-rd.  
 Budd, Wm John, Northampton-st, Bethnal-green, Clerk to an Up-hoosterer. Pet Oct 24. Nov 14 at 12. Morton & Co, Bond-court, Walbrook.  
 Carter, Joseph, Prisoner for Debt, London. Pet Oct 23 (for pan). Nov 14 at 12. Munday, Essex-st, Strand.  
 Cocke, Geo John, Bow, Middx, out of business. Pet Oct 21. Nov 7 at 2. Wood & King, Basinghall-st.

Fuller, Robt. Stowmarket, Suffolk, Farmer. Pet Oct 23. Nov 9 at 11. Treherne & Co, Aldermanbury.

Hall, Wm, Chelsea, Middx, Oil and Colourman. Pet Oct 12. Nov 14 at 2. Davis, Ironmonger-lane.

Hurley, Jas, Cannon-st-rd, St George's-in-the-East, Fruiterer. Pet Oct 23. Nov 14 at 11. Bramwell, Basinghall-st.

Harwood, Thos, Prisoner for Debt, Hertford. Adj Oct 19. Nov 7 at 2. Hooper, Wm, Elton-rd, St John's-wood, Carpenter. Pet Oct 21. Nov 7 at 1. Drake, Basinghall-st.

Ingram, Richd, Britannia-st, City-rd, Packer in Wholesale Warehouse. Pet Oct 21. Nov 7 at 2. Steadman, Coleman-st.

Liddiard, Stephen, Seward-st, Cowkeeper. Pet Oct 23. Nov 14 at 11. Robinson, Basinghall-st.

Littler, John Watson, Gresham-villas, Edmonton, Surgeon. Pet Oct 21. Nov 14 at 11. Angel, Guildhall-yard.

Monzon, Jas, Lambe-st, Spitalfields, Fishmonger. Pet Oct 18. Nov 7 at 11. Tower, Lower Thames-st.

Oiley, Edwd, Prisoner for Debt, London. Pet Oct 21 (for pau). Nov 14 at 12. Rigby, Size-lane.

Searle, Chas, Epsom, Surrey, Race-horse Trainer. Pet Oct 21. Nov 7 at 2. Hooper, Southampton-buildings, Holborn.

Stafford, Wm, Prisoner for Debt, London. Pet Oct 20 (for pau). Nov 14 at 12. Drake, Basinghall-st.

Templar, John, & Francis Templar, Silver-st, Golden-sq, Oilmen. Pet Oct 20. Nov 7 at 1. Wyatt, New Ormond-st, Queen-sq.

Thomas, Wm, Prisoner for Debt, London. Pet Oct 21. Nov 14 at 12. Rigby, Size-lane.

Williams, John, Gladstone-st, Battersea, out of business. Pet Oct 24. Nov 14 at 1. Goatley, Bow-st.

To Surrender in the Country.

Abbott, John, Marston, Bedford, Boot Maker. Pet Oct 20. Ampthill, Nov 7 at 3. Marshall, Lincoln's-inn-fields.

Aldred, John Leigh, Manch, Bookkeeper. Pet Oct 24. Manch, Nov 20 at 9.30. Hodgson, Manch.

Beardesley, John, West Hallam, Derby. Pet Oct 19. Alfreton, Nov 10 at 12. Briggs, Derby.

Beaton, Frank, Sheffield, Ferrele Manufacturer. Pet Oct 25. Sheffield, Nov 9 at 1. Broadbent, Sheffield.

Benson, Jas, Barrow, Lancaster, Comm Agent. Pet Oct 13. Manch, Nov 8 at 12. Slater & Baring, Manch.

Bingham, Geo Castle, Nottingham, Boot Manufacturer. Pet Oct 17. Birn, Nov 7 at 11. Heath, Nottingham.

Brayshaw, Abraham, Calverley, York, Licensed Victualler. Pet Oct 25. Leeds, Nov 13 at 11. Terry & Watson, Bradford, and Bond & Barwick, Leeds.

Brock, Wm, son, Norwich, Baker. Pet Oct 25. Norwich, Nov 9 at 11. Sadd, Norwich.

Carrack, Thos, Leeds, Machine Maker. Pet Oct 19. Leeds, Nov 13 at 11. Christie & Co, Leeds.

Chester, John, Loughborough, Leicester, Grocer. Pet Oct 24. Birm, Nov 7 at 11. Giles, Loughborough.

Cohen, Solomon, Manch, Travelling Jeweller. Pet Oct 23. Manch, Nov 13 at 11. Sutton & Elliott, Manch.

Counsell, John, Prisoner for Debt, Lancaster. Pet Oct 18. Manch, Nov 14 at 11.

Dalton, Wm Hy, Harrogate, York, Ironmonger. Pet Oct 24. Leeds, Nov 13 at 11. Harle, Leeds.

Denison, Saml, Carlisle, Pork Butcher. Pet Oct 23. Carlisle, Nov 8 at 11. Wannop, Carlisle.

Devey, Wm, Wolverhampton, Chest Handle Manufacturer. Pet Oct 23. Wolverhampton, Nov 20 at 12. Stratton, Wolverhampton.

Dibb, Wm, son, Leeds, Small Shop Keeper. Pet Oct 23. Leeds, Nov 8 at 12. Harle, Leeds.

Dunwall, Francis, Knaresborough, York, Seed Dealer. Pet Oct 23. Leeds, Nov 13 at 11. Menda, Hull, and Bond & Barwick, Leeds.

Ellis, John, Harrogate, York, Blacksmith. Pet Oct 12. Knaresborough, Nov 8 at 10.

Evans, John, Llanfairfechan, Carnarvon, Builder. Pet Oct 11. Bangor, Nov 13 at 10. Jones, Conway.

Ford, Enoch John, Newcastle-upon-Tyne, Plasterer. Pet Oct 21. Newcastle, Nov 11 at 10. Scaife & Britton, Newcastle-upon-Tyne.

Fothergill, Wm, Prisoner for Debt, Lancaster. Pet Oct 18. Manch, Nov 13 at 11.

Gibson, Robt Emerson, Lpool, Merchant. Pet Oct 25. Lpool, Nov 7 at 11. Kent, Lpool.

Grant, Chas, East Firsby, Lincoln, Farmer. Pet Oct 25. Leeds, Nov 15 at 12. Brown & Son, Lincoln.

Griffin, Thos, Kidderminster, Worcester, Market Gardener. Pet Oct 24. Kidderminster, Nov 6 at 11. Crowther, Kidderminster.

Hacking, John, Prisoner for Debt, Lancaster. Adj Oct 18. Manch, Nov 14 at 11.

Ham, Hy, Newton Poppleford, Devon, Innkeeper. Pet Oct 24. Exeter, Nov 6 at 11. Friend, Exeter.

Hartley, Stephen, Halifax, York, Waste Dealer. Pet Oct 23. Halifax, Nov 10 at 10. Smith, Halifax.

Henderson, John, Bradford, York, Carpet Dealer. Pet Oct 25. Leeds, Nov 14 at 11. Hutchinson, Bradford, and Bond & Barwick, Leeds.

Hughes, Thos, Bangor, Carnarvon, Farmer. Pet Oct 26. Lpool, Nov 7 at 12. Evans & Co, Lpool.

Jackson, Chas, Dudley, Worcester, Boot Maker. Pet Oct 17. Dudley, Nov 16 at 11. East, Birm.

Jackson, Wm, Rainhill, Lancaster, Joiner. Pet Oct 21. St Helen's, Nov 8 at 11. Swift, St Helen's.

Jones, Enoch, Newport, Monmouth, Tinman. Pet Oct 23. Newport, Nov 8 at 11. Graham, Newport.

King, Geo, Hereford, Builder. Pet Oct 24. Birm, Nov 10 at 12. Garrod, Hereford, and James & Griffin, Birm.

Legge, Josiah Banham, Bedford, Cabinet Maker. Pet Oct 24. Bedford, Nov 7 at 11. Conquest & Stimson, Bedford.

Little, Chas, Bradford, Wilt, Builder. Pet Oct 19. Bradford, Nov 2 at 10. Beaven, Bradford.

McDonald, Randall, Lpool, Emigration Agent. Pet Oct 23. Lpool, Nov 7 at 3. Nordon, Lpool.

Moss, Thos, Banbury, Oxford, Carpenter. Pet Oct 23. Banbury, Nov 9 at 10. Looker, Banbury.

Page, Joseph Avery, Bradford, Devon, Tailor. Pet Oct 24. Exeter, Nov 7 at 2. Floud, Exeter.

Parkin, Robt, South Shields, Durham, Master Mariner. Pet Oct 24. South Shields, Nov 11 at 11. Thomson, South Shields.

Parton, Daniel, Burslem, Stafford, Cowkeeper. Pet Oct 23. Hanley, Nov 18 at 11. Holmes & Ward, Burslem.

Phillips, Wm, Birm, Tailor. Pet Oct 21. Birm, Nov 20 at 10. Fitter, Birm.

Pemberton, Chas John, Prisoner for Debt, Lancaster. Adj Oct 18. Lpool, Nov 6 at 11.

Poole, John, Chesterfield, Derby, Pork Butcher. Pet Oct 19. Leeds, Nov 10 at 12. Fernal, Sheffield.

Roberts, Saml, Blackwood, Monmouth, Innkeeper. Pet Oct 23. Nov 15 at 3. Simon, Plews, Merthyr.

Rothwell, Geo, Fosdyke, Lincoln, Pig Jobber. Pet Oct 24. Birm, Nov 7 at 11. Maples, Nottingham.

Routledge, Jas, Kendal, Westmorland, out of business. Pet Oct 23. Newcastle-upon-Tyne, Nov 10 at 12. Thompson, Kendal, and Hoyle & Shipley, Newcastle-on-Tyne.

Rowland, John, Jarrow, Durham, Grocer. Pet Oct 23. South Shields, Nov 11 at 12. Wheldon, South Shields.

Sant, Jas, Norton, York, Tailor. Pet Oct 24. Doncaster, Nov 13 at 12. Shirley, Doncaster.

Sharmar, Jas, Hornton, Oxford, out of business. Pet Oct 24. Banbury, Nov 9 at 10. Kilby, Banbury.

Shaw, John, Leeds, Agricultural Implement Manufacturer. Pet Oct 19. Leeds, Nov 13 at 11. G. A. & W. Emsley, Leeds.

Stein, Wm, Portland, Dorset, Innkeeper. Pet Oct 24. Exeter, Nov 7 at 2. Hirtzel, Exeter.

Stevenson, John Glover, Lpool, Comm Agent. Pet Oct 25. Lpool, Nov 9 at 3. Grocott, Lpool.

Sugden, John Saml, Leeds, General Dealer. Pet Oct 19. Leeds, Nov 8 at 12. Harle, Leeds.

Thomas, Silas, Ore, Sussex, Bricklayer. Pet Oct 24. Hastings, Nov 11 at 11. Shorter, Hastings.

Topping, John, Prisoner for Debt, Lancaster. Adj Oct 18. Manch, Nov 10 at 11.

Turnor, Exuperius, Rusdon, Denbigh, Clerk. Pet Oct 26. Wrexham, Nov 13 at 11. Rymer, Wrexham.

Varcoe, Thos, St Anstell, Cornwall, Carpenter. Pet Oct 25. St Austell, Nov 10 at 11. Meredith, St Austell.

Wharton, Ann, Sandbach, Chester, Ironmonger. Pet Oct 24. Congleton, Nov 11 at 11. Remer, Sandbach.

Whiteley, Eliz, Barmby-upon-Don, York, Grocer. Adj Oct 10 (for pau). Doncaster, Nov 11 at 11.

Whittaker, David, Prisoner for Debt, Lancaster. Adj Oct 18. Manch, Nov 14 at 11.

Welch, Chas, Prisoner for Debt, Manch. Pet Oct 20 (for pau). Manch, Nov 20 at 9.30. Gardner, Manch.

Wronnall, Wm, Leyland, Lancaster, Joiner. Pet Oct 26. Lpool, Nov 10 at 12.30. Plant, Preston.

TUESDAY, Oct. 31, 1865.

To Surrender in London.

Abbott, Geo, Prisoner for Debt, Chelmsford. Adj Oct 21. Nov 16 at 1.

Allard, Geo Edwd, Pentonville-rd, Herbalist. Pet Oct 25. Nov 16 at 11. Hawkins & Co, New Boswell-ct.

Altree, Fredk, Essex-rd, Islington, Auctioneer. Pet Oct 27. Nov 16 at 2. Smith, Wilmington-sq.

Andrews, Alpheus, Addison-rd North, Notting-hill, Coal Merchant. Pet Oct 27. Nov 16 at 12. Pain, Marylebone-rd.

Bartlett, Saml Motley, Prisoner for Debt, Southampton. Adj Oct 19. Nov 14 at 1.

Braydon, Thos Fredk, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12.

Brown, Joseph, Prisoner for Debt, Maidstone. Adj Oct 21. Nov 16 at 1.

Cadwallader, Wm Geo, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 11.

Chiross, Antonio, Euston-rd, Gymnasiasch. Pet Oct 24. Nov 14 at 1. Miller & Co, Pulpit-lane.

Clark, John, Potato Market, York-rd, King's-cross, Potato Merchant. Pet Oct 26. Nov 15 at 12. Poole, Bartholomew-close.

Crush, Geo Augustus, Gt Russell-st, out of business. Pet Oct 25. Nov 16 at 11. Lewis, Carey-st.

Edwards, John, Prisoner for Debt, Maidstone. Adj Oct 21. Nov 16 at 1.

Ellingworth, Wm, Prisoner for Debt, Springfield. Adj Oct 21. Nov 16 at 1.

Ellison, John, Bedford-st, Holloway, Cabinet Maker. Pet Oct 25. Nov 16 at 11. Roberts, Clement's-inn, Strand.

Elderfield, Wm, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12.

Fiskin, David, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12.

Flus, Chas Ferdinand, Prisoner for Debt, London. Pet Oct 24 (for pau). Nov 14 at 2. Cooke, New Broad-st.

Gould, Wm, Ludgate-hill, Hatter. Pet Oct 24. Nov 14 at 1. Innes & Son, Lendenhall-st.

Harris, Edwd Neville, Prisoner for Debt, Southampton. Adj Oct 19. Nov 14 at 1.

Harris, Quarles, Aldridge-rd-villas, Bayswater, out of business. Pet Oct 24. Nov 14 at 11. Morgan, Old Broad-st.

Hemmann, Geo Weatherall Thos, Prisoner for Debt, Maidstone. Pet Oct 27. Nov 23 at 11.

Hood, Thos, Crown-st, Soho, Baker. Pet Oct 27. Nov 16 at 2. King, Fenchurch-st.

Ibbott, Fras, Prisoner for Debt, London. Adj Oct 19. Nov 23 at 11.

Jacobs, John, Commercial-rd East, Legging Maker. Pet Oct 26. Nov 16 at 1. Wood & King, Basinghall-st.

King, Wm, King-st, Richmond, Saddler. Pet Oct 28. Nov 16 at 11. Goldrige, Strand.

King, Napoleon, Mitre Tavern, Chancery-lane, out of business. Pet Oct 28. Nov 21 at 12. Wright, Chancery-lane.

La Farge, Geo Fredk Heriot, Godalming, Surrey, Surgeon. Pet Oct 24. Nov 14 at 11. Geach, Bedford-row.

Lejeune, Francois, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 11.

Lewis, Fras Hunter, Prisoner for Debt, London. Adj Oct 21. Nov 23 at 11. Mansfield, Geo, Fareham, Southampton, Farmer. Pet Oct 27. Nov 16 at 2. White, Strand. Meade, Jas Anthony, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12. Melhuish, Julia Louisa, & Louise Melhuish, High Holborn, Plumbers. Pet Oct 27. Nov 16 at 2. Heathfield, Lincoln's-inn-fields. Mercer, Chas Sherwood, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12. Neale, Wm, Norwood, Innkeeper. Pet Oct 26. Nov 16 at 12. Armstrong, Old Jewry. Oakes, Benj, North Andley-st, Grosvenor-sq, Cheesemonger. Pet Oct 26. Nov 16 at 1. Cooper, Portman-sq. Owen, Hy Moore, Prisoner for Debt, Maidstone. Adj Oct 21. Nov 16 at 1. Pither, Edmund, Earnest-st, Notting-hill, Watchman. Pet Oct 26. Nov 16 at 1. Goldrich, Strand. Plackett, John, & Francis Daventry, Marlborough-rd, Dalston, Boot Makers. Pet Oct 25. Nov 16 at 11. Paterson & Son, Bouvierie-st. Rose, Hy, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12. Russell, Robt, Prisoner for Debt, Maidstone. Adj Oct 21. Nov 16 at 1. Sanderson, John, Union-st, Borough, out of business. Pet Oct 25. Nov 16 at 11. Preston & Co, Basinghall-st. Simms, Maria, Prisoner for Debt, London. Adj Oct 21. Nov 16 at 11. Stapleton, Wm, Prisoner for Debt, London. Adj Oct 19. Nov 23 at 11. Varnham, Mary Jane, Widow, & Arthur Varnham, Bedford-st, Strand, Bookseller. Pet Oct 24. Nov 14 at 12. Ody, Southwark. Ward, Thos, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 3. White, Geo Wm, Prisoner for Debt, London. Adj Oct 19. Nov 16 at 12. Wicard, Fredk, Gt Winchester-st, Merchant. Pet Oct 27. Nov 16 at 2. Chipperfield, Southwark. Woodhouse, Francis, Whetstone, Middx, Carrier. Pet Oct 25. Nov 16 at 11. Lewis & Lewis, Ely-pl, Holborn.

To Surrender in the Country.

Andrews, John, Chatham, Kent, Wood Dealer. Pet Oct 21. Canterbury, Nov 17 at 10. Armin, Wm, Barnsley, York, Publican. Pet Oct 27. Barnsley, Nov 16 at 2. Paterson, Sheffield. Balshaw, Wm, & Chas Roberts, Prisoners for Debt, Lpool. Adj Oct 18. Lpool, Nov 6 at 11. Beadnell, Wm, Prisoner for Debt, York. Adj Oct 10. Scarborough, Nov 11 at 4. Booth, Francis, Sheffield, out of business. Pet Oct 27. Chesterfield, Nov 14 at 11. Walker, Belper. Briers, Jas, St Helen's, Lancaster, Blacksmith. Pet Oct 26. St Helen's, Nov 15 at 11. Swift, St Helen's. Burrows, Wm, Worcester, Mornight. Pet Oct 30. Birm, Nov 13 at 12. Devereux, Worcester. Casson, John Hepworth, Manch, French Polisher. Pet Oct 26. Manch, Nov 20 at 9.40. Elfton, Manch. Chapman, Peter, Trowbridge, Wilts, Cooper. Pet Oct 25. Trowbridge, Nov 8 at 12. Bartrum, Bath. Clamp, Robt, Mileham, Norfolk, Blacksmith. Pet Oct 23. East Dereham, Nov 13 at 11. Drake, East Dereham. Eames, Wm, Burnham, Somerset, Carpenter. Pet Oct 26. Weston-super-Mare, Nov 13 at 12. Reed & Cook, Bridgwater. Evans, John, Aberdare, Glamorgan, Labourer. Pet Oct 18. Aberdare, Nov 16 at 11. Plews, Merthyr Tydfil. Fletcher, John, Halifax, York, Drysalter. Pet Oct 26. Halifax, Nov 10 at 12. Jubb, Halifax. Gill, Nathaniel, Ilfracombe, Devon, Grocer. Pet Oct 18. Exeter, Nov 10 at 2. Terrell, Exeter. Gifford, Wm, Prisoner for Debt, Manch. Adj Oct 17 (for pau). Salford, Nov 11 at 9.30. Hamer, Benj, Halifax, York, Shoddy Dealer. Pet Oct 27. Halifax, Nov 10 at 10. Norris & Foster, Halifax. Hodgkins, James, Worcester, out of business. Pet Oct 30. Birm, Nov 13 at 12. Reece, Ledbury. Hyndman, John, Prisoner for Debt, Monmouth. Adj Oct 26. Bristol, Nov 10 at 11. Irving, Richd, Merthyr Tydfil, Glamorgan, Green grocer. Pet Oct 26. Merthyr Tydfil, Nov 13 at 11. Pickering, Merthyr Tydfil. James, Richmond, Walsall, Stafford, Beerhouse Keeper. Pet Oct 24. Nov 18 at 12. Glover, Walsall. Jones, John Arthur, Cheltenham, Builder. Pet Oct 24. Cheltenham, Nov 13 at 11. Boodle, Cheltenham. Lavers, Jas, Ryde, Upholsterer. Pet Oct 25. Newport, Nov 13 at 2. Hooper, Newport. Lee, Hy Sadler, Nantwich, Chester, Grocer. Pet Oct 26. Nantwich, Nov 11 at 1. Eddleton, Nantwich. Mills, Caleb Robt, Northleach, Gloucester, Grocer's Assistant. Pet Oct 27. Bristol, Nov 10 at 11. Press & Inskip, Bristol. Moore, Herbert, Rotherham, York, Stove Grate Fitter. Pet Oct 25. Rotherham, Nov 13 at 1. Brown, Rotherham. Moore, Isaac, Prisoner for Debt, Ipswich. Pet Oct 19 (for pau). Ipswich, Nov 16 at 3. Jennings, Ipswich. Orme, Hy, Macclesfield, Cheshire, Silk Twister. Adj Oct 16. Chester, Nov 8 at 11. Osborn, Abraham, Arrington, Cambridge, Butcher. Pet Oct 26. Cambridge, Nov 16 at 1. Adecock, Cambridge. Ratshorn, Wm, Prisoner for Debt, Lancaster. Adj Oct 18. Manch, Nov 13 at 11. Rimmer, Sarah, Lancaster, out of business. Pet Oct 26. Lpool, Nov 13 at 3. Wilson, Lpool. Rotnicki, Joseph, Plymouth, Devon, General Dealer. Pet Oct 25. East Stonehouse, Nov 11 at 11. Edmonds, Plymouth. Ryles, Geo, Longton, Stafford, Grocer. Pet Oct 24. Stoke-upon-Trent, Nov 11 at 11. Tennant, Hanley. Seddon, Peter, Epsom, Chester, Poultier. Pet Oct 27. Birkenhead, Nov 15 at 11. Bretherton, Birkenhead. Shepherd, John Oldham, Luton, Bedford, Milliner. Pet Oct 26. Luton, Nov 16 at 10. Bailey, Luton. Smith, Jas, Prisoner for Debt, Lancaster. Adj April 20. Bolton, Nov 15 at 10. Glover & Bamwell, Bolton. Tarling, Geo, Charlton Kings, Gloucestershire, Shoemaker. Pet Oct 25. Winchcombe, Nov 11 at 10. Stroud, Cheltenham.

Taylor, Jas, Ash, nr Sandwich, Kent, Market Gardener. Pet Oct 25. Sandwich, Nov 14 at 12. Isaacson, Margate. Thorp, John Chas, Roath, Glamorgan, Coal Merchant. Pet Oct 25. Bristol, Nov 10 at 11. Abbot & Leonard, Bristol. Trafford, Edw, Bolton, Lincoln, Traveller. Pet Oct 25. Thorne, Nov 15 at 2. Woodhead, Doncaster. Trubshaw, Anna Maria, Blackpool, Lancaster, Schoolmistress. Pet Oct 28. Lpool, Nov 13 at 12. Harding, Tunstall. Walker, Jas, Bury, Lancaster, out of business. Pet Oct 27. Bury Nov 16 at 10. Anderson, Bury. Watson, Saml, Rushall, Stafford, Miner. Pet Oct 25. Walsall, Nov 18 at 12. Ebsworth, Wednesbury. White, Hy, Ashover, Derby, Blacksmith. Pet Oct 26. Alfreton, Nov 10 at 12. Smith, Derby. Weston, John, Millbrook, Southampton, Saddler. Pet Oct 24. Southampton, Nov 17 at 12. Mackey, Southampton. Willan, John, Barrow-in-Furness, Lancaster, Carter. Pet Oct 21. Ulverston, Nov 2 at 10. Poole, Ulverston. Wilkin, Jas, South Shields, Durham, Innkeeper. Pet Oct 24. Newcastle-upon-Tyne, Nov 10 at 12. Harle, Newcastle-upon-Tyne. Woodgett, John, Birm, Innkeeper. Pet Oct 26. Birm, Nov 13 at 12. Homer, Birm.

BANKRUPTCIES ANNULLED.

**FRIDAY, Oct. 27, 1865.**

Roberts, Hy, Luton, Bedford, Boot Dealer. Oct 25. Peck, John, Plymouth, Gent. Oct 13.

**THE LANDS IMPROVEMENT COMPANY**  
(incorporated by Special Act of Parliament in 1853), 2, Old Palace Yard, Westminster, S.W.—To Landowners, the Clergy, Estate Agents, Surveyors, &c., in England and Wales, and in Scotland. The Company advances money, unlimited in amount, for the following works of agricultural improvement, the whole outlay and expense in all cases being liquidated by a rent-charge for 25 years:—  
1. Drainage, irrigation and warping, embanking, clearing reclamation, planting for any beneficial purpose engines or machinery for drainage or irrigation.  
2. Farm roads, tramways, and railroads for agricultural or farming purposes.  
3. Jetties or landing places on the sea coast, or on the banks of navigable rivers or lakes.  
4. The erection of farm houses, labourers' cottages, and other buildings required for farm purposes, and the improvement of and additions to farm houses and other buildings for farm purposes.  
Landowners assessed under the provisions of any Act of Parliament, Royal Charter, or Commission, in respect of any public or general works of drainage or other improvements, may borrow their proportionate share of the costs, and charge the same with the expenses of the lands improved.  
No investigation of title is required, and the Company, being of a strictly financial character, do not interfere with the plans and execution of the works, which are controlled only by the Government Enclosure Commissioners.  
For further information and for forms of application, apply to the Hon. WILLIAM NAPIER, Managing Director, 2, Old Palace-yard, S.W.

**INK ERASING FLUID.**—This valuable preparation should be in every office. It is used by applying a small quantity with the tip of the finger, or a camel hair pencil. The ink is completely removed, and the surface of the paper left quite smooth.  
Price, in bottles, 1s., 2s., 3s. 6d., and 5s.—Sample bottle post free, on receipt of 16, 28, 44, or 68 postage stamps. Liberal allowance to the trade.

GEO. WILSON, 78, Borough-road, S.E.

**SLACK'S SILVER ELECTRO PLATE** is a coating of pure Silver over Nickel. A combination of two metals possessing such valuable properties renders it in appearance and wear equal to Sterling Silver.  
Fiddle Pattern. Thread. King's.  
£ s. d. £ s. d. £ s. d. £ s. d.  
Table Forks, per dozen..... 1 10 0 and 1 18 0 2 8 0 3 0 0  
Dessert ditto ..... 1 0 0 and 1 10 0 1 15 0 2 2 0  
Table Spoons ..... 1 10 0 and 1 18 0 2 8 0 3 0 0  
Dessert ditto ..... 1 0 0 and 1 10 0 1 15 0 2 2 0  
Tea Spoons ..... 0 12 0 and 0 18 0 1 3 6 1 10 0  
Every Article for the Table as in Silver. A Sample Tea Spoon forwarded on receipt of 20 stamps.

**TO SOLICITORS, &c., requiring DEED BOXES,** will find the best-made article lower than any other house. Lists of Prices and sizes may be had gratis or sent post free.  
RICHARD & JOHN SLACK, 336, Strand, opposite Somerset House. Established nearly 50 years. Orders above £2 sent carriage free.

**SLACK'S FENDER AND FIRE-IRON WARE-**HOUSE is the MOST ECONOMICAL, consistent with good quality:—Iron Fenders, 3s. 6d.; Bronzed ditto, 8s. 6d., with standards; superior Drawing-room ditto, 14s. 6d. to 50s.; Fire Irons, 2s. 6d. to 9s. Patent Dish Covers, with handles to take off, 18s. set of six. Table Knives and Forks, 8s. per dozen. Roasting Jacks, complete, 7s. 6d. Tea-trays, 6s. 6d. set of three; elegant Papier Maché ditto, 25s. the set. Teapots, with plated knob, 5s. 6d.; Coal Scuttles, 2s. 6d. A set of Kitchen Utensils for cottage, 2s. 6d. Slack's Cutlery has been celebrated for 50 years. Ivory Table Knives, 14s. 16s., and 18s. per dozen. White Bone Knives and Forks, 8s. 9d. and 12s.; Black Horn ditto, 8s. and 10s. All warranted.  
As the limits of an advertisement will not allow of a detailed list, purchasers are requested to send for their Catalogue, with 350 drawings, and prices of Electro-Plate, Warranted Table Cutlery, Furnishing Ironmongery, &c. May be had gratis or post free. Every article marked in plain figures at the same low prices for which their establishment has been celebrated for nearly 50 years. Orders above £2 delivered carriage free per rail.

RICHARD & JOHN SLACK, 336, STRAND, LONDON, Opposite Somerset House.

## LAW PRINTING.

**YATES AND ALEXANDER,**  
**Law and Public Companies Printers and Stationers,**  
**7, 8, 9, CHURCH PASSAGE, CHANCERY LANE, E.C.**

YATES & ALEXANDER invite the attention of the Legal Profession to the superior advantages their Office affords for the execution of orders of every description of Printing. Having extensive premises, a large and efficient staff of experienced men, and ample machinery, they are enabled to undertake Printing to the largest extent, with satisfaction to their customers.

The greatest care is taken that all instructions are carefully and correctly attended to, so as to meet the requirements of their friends as to accuracy, punctuality, and despatch. They invite orders for—

**PARLIAMENTARY BILLS, APPEALS, BILLS OF COMPLAINT, ANSWERS,  
AND ALL LEGAL DOCUMENTS.**

**MEMORANDUMS AND ARTICLES OF ASSOCIATION.**

**PROSPECTUSES, SHARE CERTIFICATES, CHEQUES, and all work in connection with Public Companies  
INSURANCE TABLES, POLICIES, PROPOSAL FORMS, and all work connected with Insurance Companies.**

**PARTICULARS AND CONDITIONS OF SALE, AND AUCTIONEERS' CATALOGUES, POSTING BILLS, &c.**

Rules of Benefit, Friendly, or Building Societies.

**ALL OFFICE STATIONERY SUPPLIED AT REASONABLE TERMS.**

**CHARGES FOR BILLS OF COMPLAINT AND ANSWERS,**

*Subject to a Discount of 20 per Cent. for Cash, being at the rate of 4s. 6d. net per page—a Lower Charge than has hitherto been offered by the Trade.*

	10 Copies.	20 Copies.	30 Copies.	40 Copies.	50 Copies.	75 Copies.	100 Copies.
	£ s. d.						
2 pages.....	0 11 0	0 11 6	0 12 0	0 12 6	0 13 0	0 14 0	0 15 0
4 pages.....	1 1 0	1 2 0	1 3 0	1 4 0	1 5 0	1 7 6	1 10 0
8 pages.....	2 2 0	2 3 6	2 4 6	2 5 6	2 6 6	2 10 6	2 12 6
16 pages.....	4 4 0	4 7 0	4 9 0	4 11 0	4 13 0	5 1 0	5 5 0
50 pages.....	13 0 0	13 10 0	14 0 0	14 10 0	15 0 0	16 10 0	17 10 0
100 pages.....	28 0 0	29 0 0	30 0 0	31 0 0	32 0 0	34 5 0	36 0 0

**YATES & ALEXANDER, Law and General Printers, 7, 8, 9, Church Passage, Chancery Lane, E.C.**

Lately published, in 32mo., 230 pages, price 2s., cloth.  
**STEVENS AND HAYNES' LAW CATALOGUE, 1865.**

**A CATALOGUE of MODERN LAW BOOKS,** including all the Reports in England, Scotland, and Ireland. By H. G. STEVENS and R. W. HAYNES, Law Booksellers and Publishers.

Lately published, in 12mo., price 6s., cloth.

**HANSON'S (A.) SUCCESSION DUTY ACT, 1865.**

**THE SUCCESSION DUTY ACT, 1853 (16 & 17 Victoria, cap. 51); with the Decisions to 1865, and Notes. By ALFRED HANSON, Esq., of the Middle Temple, Barrister-at-Law.**  
**STEVENS & HAYNES, 11, Bell-yard, Temple Bar.**

This day is published, in 8vo., price 15s., cloth.  
**A NEW DIGEST OF EXAMINATION QUESTIONS AND ANSWERS in Common Law, Conveyancing, and Equity. By CHARLES H. ANDERSON, Editor of the "Legal Examiner."**

**STEVENS & HAYNES, 11, Bell-yard, Temple Bar.**

**RUSSELL ON CRIMES.**  
 This day is published, in 3 vols., royal octavo, price £5 15s. 6d., cloth.  
**A TREATISE ON CRIMES AND MISDEMANORS.** By SIR WILLIAM OLDNALL RUSSELL, Bart., late Chief Justice of Bengal, Fourth Edition. By CHARLES SPRENGEL GREAVES, Esq., one of Her Majesty's Counsel.  
 London: STEVENS & SON, 26, Bell-yard; H. SWEET, 3, Chancery-lane; and W. MAXWELL, 32, Bell-yard, Lincoln's-inn.

**SOLICITORS' BOOK-KEEPING, by G. J. KAIN, F.S.S.**  
 Kain's Triple Column System, 7th Edition, 6s.  
 Kain's Single and Double Column Systems (in one volume), First issue, 7s. 6d. (ready on 11th November).  
 Kain's Rental System (bound up with each of the above).  
 KAIN, SPARROW, & CO., 69, Chancery-lane, W.C.; WATERLOW & SONS, London-wall, and through all Booksellers.

Just published, in 8vo., 12s. 6d., cloth.  
**TILSLEY'S STAMP ACTS, including the Acts of Parliament for the Present Year: a Digest of the Stamp Acts and the Judicial Decisions on the Stamp Laws not contained in the Author's Treatise; including the Probate, Legacy, and Succession Duties; with Tables of all the Stamp Duties.** By HUGH TILSLEY, Assistant Solicitor of Inland Revenue, Ninth Edition revised and continued by his son, EDWARD HUGH TILSLEY, of the Inland Revenue Office. This Work, completed to the present date (including the Acts of Parliament of the present year), forms a supplement to the second edition of the Treatise on the Stamp Laws by the same Author.  
 London: STEVENS & SONS, 26, Bell-yard, Lincoln's-inn.

Nearly ready, limp cloth, price 2s. 6d.,  
**SOLICITORS' BOOK-KEEPING; a Simple and Practical System, gleaned from actual experience, applicable to large and small practices in Town or Country, both partnership and sole; with forms of books required.**

**FARRIES, BROTHERS, & CO., Accountants and Law Costs Draughtsmen, 18, Bucklersbury.**

Just published, Second Edition, price 3s.,  
**THE LAW OF TRADE MARKS, with some account of its History and Development in the Decisions of the Courts of Law and Equity. By EDWARD LLOYD, Esq., of Lincoln's-inn, Barrister-at-Law, London.**

"I am indebted to the very valuable little publication of Mr. Lloyd, who has collected all the authorities on this subject."—V. C. WOOD, in *McAndrew v. Bassett*, March 4.

London: 59, Carey-street, Lincoln's-inn, W.C.

**THE COMPANIES ACT, 1862.**—Every requisite under the above Act supplied on the shortest notice. The Books and Forms kept in stock for immediate use. Articles of Association speedily printed in the proper form for registration and distribution. Share Certificates engraved and printed. Official Seals designed and executed. No charge for sketches.  
**ASH & FLINT, Stationers, Printers, Engravers, &c., 49, Fleet-street, London, E.C. (corner of Serjeants'-inn).**

"London Gazette" (published by authority) and London and Country Advertisement Office, No. 119, Chancery-lane, Fleet-street.

**HENRY GREEN (many years with the late George Reynell), Advertisement Agent, begs to direct the attention of the Legal Profession to the advantages of his long experience of upwards of twenty years, in the special insertion of all pro forma notices, &c., and hereby solicits their continued support.—N.B. One copy of advertisement only required, and the strictest care and promptitude assured.**

**BROOKS & SCHALLER (removed from Piccadilly).**—The INDEX, printed MONTHLY (first published in 1820) at ESTATES, Country and Town Houses, Manors, Hunting Quarters, Shootings and Fisheries, Farms, &c., to be LET or SOLD, can be had (free) at their Offices, 25, Charles-street, St. James's, S.W., opposite the Junior United Service Club. Particulars inserted without charge, but for next publication must be forwarded before the 28th of each month.

**THE attention of SOLICITORS and Members of the LEGAL PROFESSION is respectfully requested to the accommodation offered for WITNESSES and Others at the Northumberland Hotel, 10 & 11, Northumberland-street, Strand. Within a short distance of the Law Courts, Westminster, and Lincoln's-inn. Arrangements made by the day or week.**